BRYCE ON AMERICAN DEMOCRACY



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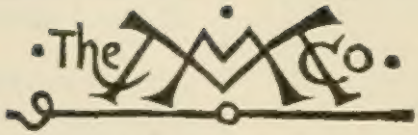
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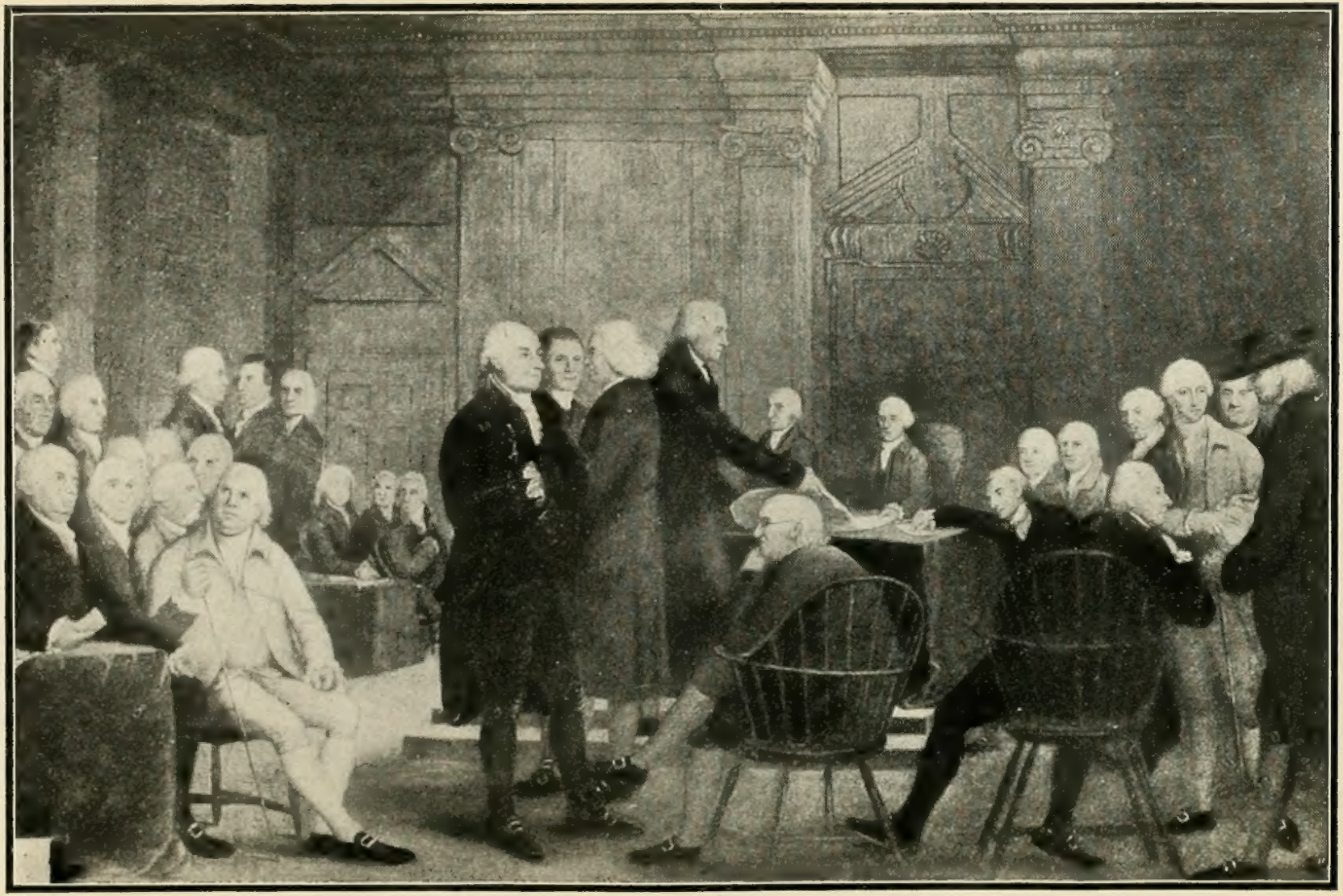
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BRYCE ON AMERICAN DEMOCRACY

SELECTIONS FROM

"THE AMERICAN COMMONWEALTH" AND
"THE HINDRANCES TO GOOD CITIZENSHIP"

EDITED BY

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PREFACE

In this volume I have brought together selected chapters from Lord Bryce's *The American Commonwealth* and one lecture from his *The Hindrances to Good Citizenship*. I have had the hope that the volume might be useful in the new emphasis the schools are giving to democratic ideals and broader conceptions of national life. To be abiding national loyalty must be intelligent. If our young people are to become patriotic citizens in a worthy sense they must know their country and its ideals well enough to feel deeply and keenly all that the name United States implies.

In this field the full and sympathetic interpretation which *The American Commonwealth* presents has no superior. Though in a small volume only a part of the wealth of Lord Bryce's two large volumes can be given, yet the attempt has been made to select the portions most useful in setting before young persons the fundamental bases and principles of American democracy.

Acknowledgments are due to Lord Bryce for his generous permission to make this use of his writings. The selections from *The American Commonwealth* are reprinted with the consent of The Macmillan Company, holders of the copyright, from the latest edition, — that of 1914. The extracts from *The Hindrances to Good Citizenship* are printed with the consent of the holders of the copyright, the Yale University Press.

M. G. F.

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INTRODUCTION

As preparation for a sane and effective patriotism and an intelligent understanding and fulfillment of civic duties, every young citizen of the United States should in his school days become in some degree acquainted with a trio of famous books relating to American government and institutions.

First in order of time among these books is *The Federalist*. Originally a series of letters written in 1788 by Hamilton, Madison, and Jay, — three of the most prominent of "the fathers of the Republic," — and published in the New York newspapers with the intention of persuading the people to ratify the proposed Constitution, this book has a significance not overdrawn by John Fiske when he said of these letters, "They are the most profound and suggestive treatment of government ever written." Certainly whoever would understand American democracy must give attention to this book, "written," as some one else has put it, "at the very birth of the Union by those who watched its cradle, and recording incidentally, and therefore all the more faithfully, the impressions and anticipations of the friends and enemies of the infant Constitution."

The second of these notable books is a study of the practical working of democratic government in the United States, made, after the experiment had been upon

trial for about fifty years, by a singularly fair and penetrating European political philosopher. In 1831, the young French statesman, Alexis de Tocqueville, came to the United States for the purpose of investigating for the French government the penitentiary system. After a stay of not quite two years, Tocqueville returned to France and published a report of his investigations, but the greater result of his stay was his *Democracy in America*, published in 1835. Not only did this book at once attract attention because it was up to that time the most elaborate study of American politics and manners, but it was immediately recognized as an acute analysis full of valuable wisdom for all interested in democratic government. Although Tocqueville's work has been somewhat superseded by later books, yet it holds still an important historic position, and one who wishes to have a picture and a criticism of the American government as it was nearly eighty-five years ago must turn to Tocqueville's pages for it.

The third in this group of books, — and the one with which this sketch is chiefly concerned, — is James Bryce's *The American Commonwealth*. The first edition appeared in 1888, but later editions and revisions have kept the book up to date, the latest edition coming as close to the present time as 1914. Since Tocqueville's book, no other writer had attempted to cope with the whole theory and practice of American political life as well as to enter minutely into questions of manners, habits, and ideas. So successfully has this task been done that *The American Commonwealth* unquestionably holds the supreme place among interpretations of American institutions and ideals and thoroughly deserves

the comment of a distinguished American scholar to the effect that he knew no single study which so effectively helped an American to know his own country as he ought to know it, as *The American Commonwealth*.

Although the suggestion for his book must have come to James Bryce from Tocqueville's book, yet the two books do not overlap. In the introductory chapter of *The American Commonwealth*, he indicates the difference between the two books. "The book which it might seem natural for me to take as a model is the *Democracy in America* of Alexis de Tocqueville. It would, indeed, apart from the danger of provoking a comparison with such an admirable master of style, have been an interesting and useful task to tread in his steps, and seek to do for the United States of 1888, with their sixty millions of people, what he did for the fifteen millions of 1832. But what I have actually tried to accomplish is something different, for I have conceived the subject upon quite other lines. To Tocqueville America was primarily a democracy, the ideal democracy, fraught with lessons for Europe, and above all for his own France. What he has given us is not so much a description of the country and people as a treatise, full of fine observation and elevated thinking, upon democracy, a treatise whose conclusions are illustrated from America, but are founded, not so much on an analysis of American phenomena, as on general and somewhat speculative views of democracy which the circumstances of France have suggested. Democratic government seems to me, with all deference to his high authority, a cause not so potent in the moral and social sphere as he deemed it; and my object has been less to discuss its

merits than to paint the institutions and people of America as they are, tracing what is peculiar in them not merely to the sovereignty of the masses, but also to the history and traditions of the race, to its fundamental ideas, to its material environment."

At another point in this introductory chapter, James Bryce explains more specifically his aim in *The American Commonwealth*. "During the last fifty years," he says, "no author has proposed to himself the aim of portraying the whole political system of the country in its practice as well as its theory, of explaining not only the National Government but the State Governments, not only the Constitution but the party system, not only the party system but the ideas, temper, habits of the sovereign people. Much that is valuable has been written on particular parts or aspects of the subject, but no one seems to have tried to deal with it as a whole; not to add that some of the ablest writers have been either advocates, often professed advocates, or detractors of democracy. To present such a general view of the United States both as a Government and as a Nation is the aim of the present book."

The eminent degree in which James Bryce's book fulfills his purpose is due in great measure to use of first-hand knowledge and observation. "I have striven," he declares, "to avoid the temptations of the deductive method, and to present simply the facts of the case, arranging and connecting them as best I can, but letting them speak for themselves rather than pressing them to render my own conclusions. The longer one studies a vast subject, the more cautious in inference does he become." Joined to this use of direct observation there

have been those other essentials of a great critic, — openness and flexibility of mind. "When I first visited America in the year 1870," he goes on to say, "I brought home a swarm of bold generalizations. Half of them were thrown overboard after a second visit in 1881. Of the half that remained, some were dropped into the Atlantic when I returned across it after a third visit in 1883–84; and although the two later journeys gave birth to some new views, these views are fewer and more discreetly cautious than their departed sister of 1870." Openness and flexibility of mind have, consequently, kept the author from dogmatism. His attitude toward the conclusions presented in *The American Commonwealth* he gives in these words: "I can honestly say that I shall be better pleased if readers of a philosophic turn find in this book matter on which they feel they can safely build theories for themselves, than if they take from it theories ready made."

If the eminence of *The American Commonwealth* is largely due to these characteristics of the author's method, some credit must also be given to the fact that it embodies not the observations and conclusions of one to the manner born but those of a foreigner. James Bryce has himself pointed out how from this fact comes some advantage. "It may be thought that a subject of so great compass ought, if undertaken at all, be undertaken by a native American. No native American has, however, undertaken it. Such a writer would doubtless have many advantages over a stranger. Yet there are two advantages which a stranger, or at least a stranger who is also an Englishman, with some practical knowledge of English politics and English law, may hope

to secure. He is struck by certain things which a native does not think of explaining, because they are too obvious; and whose influence on politics or society, one to whom they seem part of the order of nature forgets to estimate. And the stranger finds it easier to maintain a position of detachment, detachment not only from party prejudice, but from those prepossessions in favour of persons, groups, constitutional dogmas, national pretensions, which a citizen can scarcely escape except by falling into that attitude of impartial cynicism which sours and perverts the historical mind as much as prejudice itself. He who regards a wide landscape from a distant height sees its details imperfectly, and must unfold his map in order to make out where each village lies, and how the roads run from point to point. But he catches the true perspective of things better than if he were standing among them. The great features of the landscape, the valleys, slopes, and mountains, appear in their relative proportion: he can estimate the height of the peaks and the breadth of the plains. So one who writes of a country not his own may turn his want of familiarity with details to good account if he fixes his mind strenuously on the main characteristics of the people and their institutions, while not forgetting to fill up gaps in his knowledge by frequent reference to native authorities."

For making such a study, James Bryce's career as a historian and constitutional lawyer had well fitted him. He had been born in northern Ireland at Belfast in 1838 of Scotch-Irish parents. After attending the University at Glasgow, he went to Oxford. He also studied for a time at Heidelberg. His education finished, he was

admitted to the bar in 1867, and practiced law in London until 1882. In 1870, when he was but thirty-two, he was appointed Regius Professor of Civil Law at Oxford, a position which he held until 1893, when he resigned after twenty-three years of successful service. During this period of his life, he obtained high distinction as a historian through the publication of *The Holy Roman Empire*. Up to this point his career had been that of the student and scholar. The year 1880, however, marked a change. In that year he became a successful candidate for a seat in Parliament, and for some twenty-five years thereafter he continued a member of this body, his services being notable. During these years he held various responsible offices having to do with the administration of both home and foreign affairs. He took a conspicuous part in almost every debate upon subjects of foreign policy, of national education, and of constitutional advancement. In 1907, Lord Bryce was appointed ambassador to the United States, a position which he filled with signal distinction until 1913, when he resigned. After his return to England, in recognition of his services to the government, King George V elevated him to the peerage with the title of Viscount. During the War with Germany (1914–1918), his pen was exceedingly active in behalf of the cause of the Allies. Such a career shows that *The American Commonwealth* is the work of a trained historian, a distinguished lawyer, and an eminent statesman.

But in seeking other causes for the eminence of *The American Commonwealth*, note must also be taken of the fact that it is the work of a man of marked democratic sympathies. Though Viscount Bryce has never been a

mere partisan in public questions and has always advocated a policy because he believed it to be right irrespective of any effect it might have upon his own political future or that of his party, yet he has stood consistently with the Liberal party. In fact no man has given more final tests of the sincerity of his democratic sympathies than has he in the policies he has advocated. For example, he has been a steady and consistent supporter of Irish Home Rule. An equally marked instance was his manful and outspoken opposition to the Boer War. To this inborn democratic inclination must be ascribed the sympathetic way in which *The American Commonwealth* treats American institutions.

Another element in Viscount Bryce's equipment for writing the book, and one of no little importance, was the fact that in the best sense of the word he has been a globe-trotter. Like Tennyson's Ulysses, he might have said of himself,

> For always roaming with an hungry heart,
> Much have I seen and known; cities of men
> And manners, climates, councils, governments.

In 1877 he published a narrative of his travels in Transcaucasia. About the same time he visited the Ottoman Empire. At other times Viscount Bryce has traveled in Iceland, Africa, South America, and he of course knows the United States as few American travelers know it. He has always studied closely the political and social life of the countries he has visited, and in this way has accumulated a first-hand knowledge which has been a valuable background for his study of these matters in the United States.

During his stay in the United States as British ambassador, Viscount Bryce was frequently called upon to deliver addresses on various anniversary or other occasions. In 1909, he was invited to deliver at Yale University the lectures for that year upon the Dodge Foundation for Lectures on the Responsibilities of Citizenship. Selecting as his subject "The Hindrances to Good Citizenship," he delivered four lectures which printed make a slender volume, but, as might be expected when a man of his experience and ability undertook to discuss the chief obstacles to good citizenship and the way of overcoming them, it is a notable book. When it appeared, the London *Times* said of it, "Mr. Bryce has written much excellent political literature; but we doubt whether any wiser words have ever come from him than those in which he describes and analyzes the many forms in which the enemies of self-government disguise themselves." The feeling that this book should have a place by the side of *The American Commonwealth* as a book deserving of the attention of young citizens has led to the inclusion of some selections from it in this volume.

Viscount Bryce's writings are remarkable for the qualities of clearness and interest. "One finds always in his work," says Miss Ada L. F. Snell in her introduction to some selections from *Hindrances to Good Citizenship*, "simplicity in the unfolding of material which has been carefully gathered and calmly judged. There is perfect clarity in the handling of a mass of detail, and such skillful subordination of it and masterly emphasis of important principles that the reader easily catches the bearing of the central thought of every illustration or description.

There is also in the writing a solidity and firmness, a bracing stalwartness — qualities which are the result of the writer's own sturdy nature. But this is not all. The author's almost novelistic power of seeing persons and things makes his writing as vivid as a story; even his most abstract propositions are tangible and real. And the material is, moreover, so sympathetically and earnestly treated that it is at times lifted above mere pedestrian exposition and becomes warm with the feeling of the writer. The everyday words and unadorned sentences, infused with the spirit of the one who writes, become potent to stir slumbering ideals."

The reader feels that Viscount Bryce's writings always exemplify the maxim of Pater regarding "that architectural conception of work, which foresees the end in the beginning and never loses sight of it, and in every part is conscious of all the rest, till the last sentence does but with undiminished vigor unfold and justify the first." The quality that Pater called "mind in style," — the quality implying clear thinking and effective presentation, — is so obvious in the work of Lord Bryce that it reacts upon the person who reads his pages, and such a one finds his power of expressing himself lucidly growing by what it feeds on. It is not too fanciful to say that this skill which Viscount Bryce has in expression has been an asset in his successful career of leadership. A command of language is a power which every leader of his fellow-men must possess, and Viscount Bryce's own rare power is one of the qualities that have made him a man of such commanding influence.

As a conclusion to this sketch of Viscount Bryce and *The American Commonwealth*, a few words concerning his

personality may be of interest. These are drawn from an article in *The Outlook* for January 10, 1903, by his friend, Justin McCarthy. "Bryce has in face and form the characteristics of a stalwart fighter. His forehead is high and broad, with strongly marked eyebrows, straightly drawn over deep and penetrating eyes. . . . The face does not look Irish; its expression is perhaps somewhat too sedate and resolute; but, on the other hand, it does not seem quite Scotch, for there is at moments a suggestion of dreaminess about it which we do not usually associate with the shrewd North Briton.

"Bryce is a man of the most genial temperament, thoroughly companionable and capable of enjoying every influence that helps to brighten existence. Always a student of books and of men, he is never a recluse, and I do not know of any one who seems to get more out of life than does this philosophic historian. Bryce's London home is noted for its hospitality, and his dinner parties and evening parties give much delight to his large circle of friends . . . and I know of no London house where one is more certain to meet distinguished men and women from all parts of the civilized world. . . . Representatives of literature, science, and art, of scholarly research, of political movement, and of traveled experience are sure to be met with in the home of the Bryces. . . .

"Among Bryce's especial recreations is mountain-climbing, and he was at one time President of the Alpine Club. He can converse upon all subjects, can give to every topic some illustrations from his own ideas and his own experiences, and the intelligent listener always finds that he carries away something new and worthy

of remembrance from any talk with him. Although his strong opinions and his earnest desire to maintain what he believes to be the right side of every great controversy have naturally brought him into frequent antagonism with the representatives of many an important cause, I do not know of any public man who has made fewer enemies or is more generally spoken of with respect and admiration. . . . We must all of us have met scholars and thinkers and political leaders whose inborn sense of their own capacity had an overbearing and even oppressive effect on the ordinary mortal, and made him shy of expressing himself fully lest he should only be displaying his ineptitude or his ignorance in such a presence. But there is nothing of this to be observed in the genial ways of James Bryce, and the listener finds himself unconsciously brought from time to time to the level of the master and emboldened to give free utterance to his own ideas and opinions."

These personal characteristics of Viscount Bryce, together with his unfaltering and resolute devotion to ideals of just government, furnish an invigorating example of the true statesman.

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AMERICAN DEMOCRACY

THE NATIONAL GOVERNMENT

THE NATION AND THE STATES[1]

Some years ago the American Protestant Episcopal Church was occupied at its triennial Convention in revising its liturgy. It was thought desirable to introduce among the short sentence prayers a prayer for the whole people; and an eminent New England divine proposed the words "O Lord, bless our nation." Accepted one afternoon on the spur of the moment, the sentence was brought up next day for reconsideration, when so many objections were raised by the laity to the word "nation," as importing too definite a recognition of national unity, that it was dropped, and instead there were adopted the words "O Lord, bless these United States."

To Europeans who are struck by the patriotism and demonstrative national pride of their transatlantic visitors, this fear of admitting that the American people constitute a nation seems extraordinary. But it is only the expression on its sentimental side of the most striking and pervading characteristic of the political system

[1] *The American Commonwealth*, Chapter II.

of the country, the existence of a double government, a double allegiance, a double patriotism. America — I call it America (leaving out of sight South and Central America, Canada, and Mexico), in order to avoid using at this stage the term United States — America is a Commonwealth of commonwealths, a Republic of republics, a State which, while one, is nevertheless composed of other States even more essential to its existence than it is to theirs.

This is a point of so much consequence, and so apt to be misapprehended by Europeans, that a few sentences may be given to it.

When within a large political community smaller communities are found existing, the relation of the smaller to the larger usually appears in one or other of the two following forms. One form is that of a League, in which a number of political bodies, be they monarchies or republics, are bound together so as to constitute for certain purposes, and especially for the purpose of common defence, a single body. The members of such a composite body or league are not individual men but communities. It exists only as an aggregate of communities, and will therefore vanish so soon as the communities which compose it separate themselves from one another. Moreover it deals with and acts upon these communities only. With the individual citizen it has nothing to do, no right of taxing him, or judging him, or making laws for him, for in all these matters it is to his own community that the allegiance of the citizen is due. A familiar instance of this form is to be found in the Germanic Confederation° as it existed from 1815 till 1866. The Hanseatic League° in mediæval Germany, the Swiss

Confederation° down till the present century, are other examples.

In the second form, the smaller communities are mere subdivisions of that greater one which we call the Nation. They have been created, or at any rate they exist, for administrative purposes only. Such powers as they possess are powers delegated by the nation, and can be overridden by its will. The nation acts directly by its own officers, not merely on the communities, but upon every single citizen; and the nation, because it is independent of these communities, would continue to exist were they all to disappear. Examples of such minor communities may be found in the departments of modern France and the counties of modern England. Some of the English counties were at one time, like Kent or Dorset, independent kingdoms or tribal districts; some, like Bedfordshire, were artificial divisions from the first. All are now merely local administrative areas, the powers of whose local authorities have been delegated from the national government of England. The national government does not stand by virtue of them, does not need them. They might all be abolished or turned into wholly different communities without seriously affecting its structure.

The American Federal Republic corresponds to neither of these two forms, but may be said to stand between them. Its central or national government is not a mere league, for it does not wholly depend on the component communities which we call the States. It is itself a commonwealth as well as a union of commonwealths, because it claims directly the obedience of every citizen, and acts immediately upon him through its courts and

executive officers. Still less are its minor communities the States, mere subdivisions of the Union, mere creatures of the national government, like the counties of England or the departments of France. They have over their citizens an authority which is their own, and not delegated by the central government. They have not been called into being by that government. They — that is, the older ones among them — existed before it. They could exist without it.

The central or national government and the State governments may be compared to a large building and a set of smaller buildings standing on the same ground, yet distinct from each other. It is a combination sometimes seen where a great church has been erected over more ancient homes of worship. First the soil is covered by a number of small shrines and chapels, built at different times and in different styles of architecture, each complete in itself. Then over them and including them all in its spacious fabric there is reared a new pile with its own loftier roof, its own walls, which may perhaps rest on and incorporate the walls of the older shrines, its own internal plan.° The identity of the earlier buildings has, however, not been obliterated; and if the later and larger structure were to disappear, a little repair would enable them to keep out wind and weather, and be again what they once were, distinct and separate edifices. So the American States are now all inside the Union, and have all become subordinate to it. Yet the Union is more than an aggregate of States, and the States are more than parts of the Union. It might be destroyed, and they, adding some further attributes of power to those they now

possess, might survive as independent self-governing communities.

This is the cause of that immense complexity which startles and at first bewilders the student of American institutions, a complexity which makes American history and current American politics difficult to the European, who finds in them phenomena to which his own experience supplies no parallel. There are two loyalties, two patriotisms; and the lesser patriotism, as the incident in the Episcopal Convention shows, is jealous of the greater. There are two governments, covering the same ground, commanding, with equally direct authority, the obedience of the same citizen.

The casual reader of American political intelligence in European newspapers is not struck by this phenomenon, because State politics and State affairs generally are seldom noticed in Europe. Even the traveller who visits America does not realize its importance, because the things that meet his eye are superficially similar all over the continent, and that which Europeans call the machinery of government is in America conspicuous chiefly by its absence. But a due comprehension of this double organization is the first and indispensable step to the comprehension of American institutions: as the elaborate devices whereby the two systems of government are kept from clashing are the most curious subject of study which those institutions present.

How did so complex a system arise, and what influences have moulded it into its present form? This is a question which cannot be answered without a few words of historical retrospect. I am anxious not to

stray far into history, because the task of describing American institutions as they now exist is more than sufficiently heavy for one writer and one book. But a brief and plain outline of the events which gave birth to the Federal system in America, and which have nurtured national feeling without extinguishing State feeling, seems the most natural introduction to an account of the present Constitution, and may dispense with the need for subsequent explanations and digressions.

THE ORIGIN OF THE CONSTITUTION[1]

When in the reign of George III.° troubles arose between England and her North American colonists, there existed along the eastern coast of the Atlantic thirteen little communities, the largest of which (Virginia) had not more than half a million of free people, and the total population of which did not reach three millions. All owned allegiance to the British Crown; all, except Connecticut and Rhode Island, received their governors from the Crown°; in all, causes were carried by appeal from the colonial courts to the English Privy Council.° Acts of the British Parliament ran there, as they now run in the British colonies, whenever expressed to have that effect, and could over-rule such laws as the colonies might make. But practically each colony was a self-governing commonwealth, left to manage its own affairs with scarcely any interference from home. Each had its legislature, its own statutes adding to or modifying the English common law,° its local corporate life and traditions, with no small local pride in its own history and institutions, superadded to the pride of forming part of the English race and the great free British realm. Between the various colonies there was no other political connection than that which arose from their all belonging to this race and realm, so that the inhabitants of

[1] *The American Commonwealth*, Chapter III.

each enjoyed in every one of the others the rights and privileges of British subjects.

When the oppressive measures of the home government roused the colonies, they naturally sought to organize their resistance in common.° Singly they would have been an easy prey, for it was long doubtful whether even in combination they could make head against regular armies. A congress of delegates from nine colonies held at New York in 1765 was followed by another at Philadelphia in 1774, at which twelve were represented, which called itself Continental (for the name American° had not yet become established), and spoke in the name of "the good people of these colonies," the first assertion of a sort of national unity among the English of America. The second congress, and the third which met in 1775 and in which thereafter all the colonies were represented, was a merely revolutionary body, called into existence by the war with the mother country. But in 1776 it declared the independence of the colonies, and in 1777 it gave itself a new legal character by framing the "Articles of Confederation and Perpetual Union," whereby the thirteen States (as they then called themselves) entered into a "firm league of friendship" with each other, offensive and defensive, while declaring that "each State retains its sovereignty, freedom, and independence, and every power, jurisdiction, and right which is not by this Confederation expressly delegated to the United States in Congress assembled."

This Confederation, which was not ratified by all the States till 1781, was rather a league than a national government, for it possessed no central authority except an assembly in which every State, the largest and

the smallest alike, had one vote, and this assembly had no jurisdiction over the individual citizens. There was no Federal executive, no proper Federal judiciary, no means of raising money except by the contributions of the States, contributions which they were slow to render, no power of compelling the obedience to Congress either of States or of individuals. The plan corresponded to the wishes of the colonists, who did not yet deem themselves a nation, and who in their struggle against the power of the British Crown were resolved to set over themselves no other power, not even one of their own choosing. But it worked badly even while the struggle lasted, and after the immediate danger from England had been removed by the peace of 1783, it worked still worse, and was in fact, as Washington° said, no better than anarchy. The States were indifferent to Congress and their common concerns, so indifferent that it was found difficult to procure a quorum of States for weeks or even months after the day fixed for meeting. Congress was impotent, and commanded respect as little as obedience. Much distress prevailed in the trading States, and the crude attempts which some legislatures made to remedy the depression by emitting inconvertible paper, by constituting other articles than the precious metals legal tender, and by impeding the recovery of debts, aggravated the evil, and in several instances led to seditious outbreaks.° The fortunes of the country seemed at a lower ebb than even during the war with England.

Sad experience of their internal difficulties, and of the contempt with which foreign governments treated them, at last produced a feeling that some firmer and closer

union was needed. A convention of delegates from five States met at Annapolis in Maryland in 1786 to discuss methods of enabling Congress to regulate commerce, which suffered grievously from the varying and often burdensome regulations imposed by the several States. It drew up a report which condemned the existing state of things, declared that reforms were necessary, and suggested a further general convention in the following year to consider the condition of the Union and the needed amendments in its Constitution. Congress, to which the report had been presented, approved it, and recommended the States to send delegates to a convention, which should "revise the Articles of Confederation, and report to Congress and the several legislatures such alterations and provisions therein as shall, when agreed to in Congress and confirmed by the States, render the Federal Constitution adequate to the exigencies of government and the preservation of the Union."

The Convention thus summoned met at Philadelphia on the 14th May 1787, became competent to proceed to business on May 25th, when seven States were represented, and chose George Washington to preside. Delegates attended from every State but Rhode Island, and among these delegates was to be found nearly all the best intellect and the ripest political experience the United States then contained. The instructions they had received limited their authority to the revision of the Articles of Confederation and the proposing to Congress and the State legislatures such improvements as were required therein.° But with admirable boldness, boldness doubly admirable in Englishmen and lawyers,

the majority ultimately resolved to disregard these restrictions, and to prepare a wholly new Constitution, to be considered and ratified neither by Congress nor by the State legislatures, but by the peoples of the several States.

This famous assembly, which consisted of fifty-five delegates, thirty-nine of whom signed the Constitution which it drafted, sat nearly five months, and expended upon its work an amount of labour and thought commensurate with the magnitude of the task and the splendour of the result. The debates were secret, a proof of the confidence reposed in the members; and it was well that they were secret, for criticism from without might have imperilled a work which seemed repeatedly on the point of breaking down, so great were the difficulties encountered from the divergent sentiments and interests of different parts of the country, as well as of the larger and smaller States.° The records of the Convention were left in the hands of Washington, who in 1796 deposited them in the State Department. In 1819 they were published by J. Q. Adams.° In 1840 there appeared the very full and valuable notes of the discussions kept by James Madison° (afterwards twice President), who had been one of the most useful members of the body. From these records and notes° the history of the Convention has been written.

It is hard to-day, even for Americans, to realize how enormous those difficulties were. The Convention had not only to create *de novo*,° on the most slender basis of pre-existing national institutions, a national government for a widely scattered people, but they had in doing so to respect the fears and jealousies and apparently ir-

reconcilable interests of thirteen separate commonwealths, to all of whose governments it was necessary to leave a sphere of action wide enough to satisfy a deep-rooted local sentiment, yet not so wide as to imperil national unity.° Well might Hamilton° say: "The establishment° of a Constitution, in time of profound peace, by the voluntary consent of a whole people, is a prodigy to the completion of which I look forward with trembling anxiety." And well might he quote the words of David Hume° (*Essays;* "The Rise of Arts and Sciences"): "To balance a large State or society, whether monarchical or republican, on general laws, is a work of so great difficulty that no human genius, however comprehensive, is able by the mere dint of reason and reflection to effect it. The judgments of many must unite in the work; experience must guide their labour; time must bring it to perfection; and the feeling of inconveniences must correct the mistakes which they inevitably fall into in their first trials and experiments."

It was even a disputable point whether the colonists were already a nation or only the raw material out of which a nation might be formed.° There were elements of unity, there were also elements of diversity. All spoke the same language. All, except a few descendants of Dutchmen and Swedes in New York and Delaware, some Germans in Pennsylvania, some children of French Huguenots° in New England and the middle States, belonged to the same race.° All, except some Roman Catholics in Maryland, professed the Protestant religion. All were governed by the same English Common Law, and prized it not only as the bulwark which had sheltered

their forefathers from the oppression of the Stuart kings, but as the basis of their more recent claims of right against the encroachments of George III. and his colonial officers. In ideas and habits of life there was less similarity, but all were republicans, managing their affairs by elective legislatures, attached to local self-government, and animated by a common pride in their successful resistance to England, which they then hated with a true family hatred, a hatred to which her contemptuous treatment of them added a sting.

On the other hand their geographical position made communication very difficult. The sea was stormy in winter; the roads were bad; it took as long to travel by land from Charleston to Boston as to cross the ocean to Europe, nor was the journey less dangerous. The wealth of some States consisted in slaves, of others in shipping; while in others there was a population of small farmers, characteristically attached to old habits. Manufactures had hardly begun to exist. The sentiment of local independence showed itself in intense suspicion of any external authority; and most parts of the country were so thinly peopled that the inhabitants had lived practically without any government, and thought that in creating one they would be forging fetters for themselves. But while these diversities and jealousies made union difficult, two dangers were absent which have beset the framers of constitutions for other nations. There were no reactionary conspirators to be feared, for every one prized liberty and equality. There were no questions between classes, no animosities against rank and wealth, for rank and wealth did not exist.

It was inevitable under such circumstances that the

Constitution, while aiming at the establishment of a durable central power, should pay great regard to the existing centrifugal forces. It was and remains what its authors styled it, eminently an instrument of compromises; it is perhaps the most successful instance in history of what a judicious spirit of compromise may effect.° Yet out of the points which it was for this reason obliged to leave unsettled there arose fierce controversies, which after two generations, when accumulated irritation and incurable misunderstanding had been added to the force of material interests, burst into flame in the War of Secession.

The draft Constitution was submitted, as its last article provided, to conventions of the several States (*i.e.* bodies specially chosen by the people° for the purpose) for ratification. It was to come into effect as soon as nine States had ratified, the effect of which would have been, in case the remaining States, or any of them, had rejected it, to leave such States standing alone in the world, since the old Confederation was of course superseded and annihilated. Fortunately all the States did eventually ratify the new Constitution, but two of the most important, Virginia and New York,° did not do so till the middle of 1788, after nine others had already accepted it; and two, North Carolina and Rhode Island, at first refused, and only consented to enter the new Union more than a year later, when the government it had created had already come into operation.

There was a struggle everywhere over the adoption of the Constitution, a struggle presaging the birth of the two great parties that for many years divided the American people. The chief source of hostility was the belief

that a strong central government endangered both the rights of the States and the liberties of the individual citizen. Freedom, it was declared, would perish, freedom rescued from George III. would perish at the hands of her own children.° Consolidation (for the word centralization had not yet been invented) would extinguish the State governments and the local institutions they protected. The feeling was very bitter, and in some States, notably in Massachusetts and New York, the majorities were dangerously narrow. Had the decision been left to what is now called "the voice of the people," that is, to the mass of the citizens all over the country, voting at the polls, the voice of the people would probably have pronounced against the Constitution, and this would have been still more likely if the question had been voted on everywhere upon the same day, seeing that several doubtful States were influenced by the approval which other States had already given. But the modern "plebiscital"° method of taking the popular judgment had not been invented. The question was referred to conventions in the several States. The conventions were composed of able men, who listened to thoughtful arguments, and were themselves influenced by the authority of their leaders. The counsels of the wise prevailed over the prepossessions of the multitude. Yet these counsels would hardly have prevailed but for a cause which is apt to be now overlooked. This was the dread of foreign powers.° The United States had at that time two European monarchies, Spain and England, as its neighbours on the American continent. France had lately held territories to the north of them in Canada, and to

the south and west of them in Louisiana.° She had been their ally against England, she became in a few years again the owner of territories west of the Mississippi. The fear of foreign interference, the sense of weakness, both at sea and on land, against the military monarchies of Europe, was constantly before the mind of American statesmen, and made them anxious to secure at all hazard a national government capable of raising an army and navy, and of speaking with authority on behalf of the new republic. It is remarkable that the danger of European aggression or complications was far more felt in the United States from 1783 down till about 1820, than it has been during the last half century when steam has brought Europe five times nearer than it then was.

Several of the conventions which ratified the Constitution accompanied their acceptance with an earnest recommendation of various amendments to it, amendments designed to meet the fears of those who thought that it encroached too far upon the liberties of the people. Some of these were adopted, immediately after the original instrument had come into force, by the method it prescribes, viz. a two-thirds majority in Congress and a majority in three-fourths of the States. They are the amendments of 1791,° ten in number, and they constitute what the Americans, following a venerable English precedent, call a Bill or Declaration of Rights.

The Constitution of 1789° deserves the veneration with which the Americans have been accustomed to regard it. It is true that many criticisms have been passed upon its arrangement, upon its omissions, upon the artificial character of some of the institutions it

creates. Recognizing slavery as an institution existing in some States, and not expressly negativing the right of a State to withdraw from the Union, it has been charged with having contained the germ of civil war, though that germ took seventy years to come to maturity. And whatever success it has attained must be in large measure ascribed to the political genius, ripened by long experience, of the Anglo-American race, by whom it has been worked, and who might have managed to work even a worse drawn instrument. Yet, after all deductions, it ranks above every other written constitution for the intrinsic excellence of its scheme, its adaptation to the circumstances of the people, the simplicity, brevity, and precision of its language, its judicious mixture of definiteness in principle with elasticity in details.° One is therefore induced to ask, before proceeding to examine it, to what causes, over and above the capacity of its authors, and the patient toil they bestowed upon it, these merits are due, or in other words, what were the materials at the command of the Philadelphia Convention for the achievement of so great an enterprise as the creation of a nation by means of an instrument of government. The American Constitution is no exception to the rule that everything which has power to win the obedience and respect of men must have its roots deep in the past, and that the more slowly every institution has grown, so much the more enduring is it likely to prove. There is little in this Constitution that is absolutely new. There is much that is as old as Magna Charta.°

The men of the Convention had the experience of the English Constitution.° That Constitution, very

different then from what it is now, was even then not quite what they thought it. Their view was tinged not only by recollections of the influence exercised by King George the Third, an influence due to transitory causes, but which made them overrate its monarchical element,° but also by the presentation of it which they found in the work of Mr. Justice Blackstone.° He, as was natural in a lawyer and a man of letters, described rather its theory than its practice, and its theory was many years behind its practice. The powers and functions of the cabinet, the overmastering force of the House of Commons, the intimate connection between legislation and administration, these which are to us now the main characteristics of the English Constitution were still far from fully developed. But in other points of fundamental importance they appreciated and turned to excellent account its spirit and methods.

They had for their oracle of political philosophy the treatise of Montesquieu° on the Spirit of Laws, which, published anonymously at Geneva forty years before, had won its way to an immense authority on both sides of the ocean. Montesquieu, contrasting the private as well as public liberties of Englishmen with the despotism of Continental Europe, had taken the Constitution of England as his model system, and had ascribed its merits to the division of legislative, executive, and judicial functions which he discovered in it, and to the system of checks and balances whereby its equilibrium seemed to be preserved. No general principle of politics laid such hold on the constitution-makers and statesmen of America as the dogma that the separation of these three functions is essential to freedom. It had

already been made the groundwork of several State constitutions. It is always reappearing in their writings: it was never absent from their thoughts. Of the supposed influence of other Continental authors, such as Rousseau,° or even of English thinkers such as Burke,° there are few direct traces in the Federal Constitution or in the classical contemporaneous commentary° on and defence of it which we owe to the genius of Hamilton and his less famous coadjutors, Madison and Jay.° But we need only turn to the Declaration of Independence and the original constitutions of the States, particularly the Massachusetts Constitution of 1780, to perceive that abstract theories regarding human rights had laid firm hold on the national mind. Such theories naturally expanded with the practice of republican government, and have at various times been extremely potent factors in American history. But the influence of France and her philosophers belongs chiefly to the years succeeding 1789, when Jefferson,° who was fortunately absent in Paris during the Constitutional Convention, headed the democratic propaganda.

Further, they had the experience of their colonial and State governments, and especially, for this was freshest and most in point, the experience of the working of the State Constitutions, framed at or since the date when the colonies threw off their English allegiance. Many of the Philadelphia delegates had joined in preparing these instruments: all had been able to watch and test their operation. They compared notes as to the merits, tested by practice, of the devices which their States had respectively adopted. They had the inestimable advantage of knowing written or rigid con-

stitutions in the concrete; that is to say, of comprehending how a system of government actually moves and plays under the control of a mass of statutory provisions defining and limiting the powers of its several organs. The so-called Constitution of England° consists largely of customs, precedents, traditions, understandings, often vague and always flexible. It was quite a different thing, and for the purpose of making a constitution for the American nation an even more important thing, to have lived under and learnt to work systems determined by the hard and fast lines of a single document having the full force of law, for this experience taught them how much might safely be included in such a document, and how far room must be left under it for unpredictable emergencies and unavoidable development.

Lastly, they had in the principle of the English common law that an act done by any official person or law-making body beyond his or its legal competence is simply void, a key to the difficulties involved in the establishment of a variety of authorities not subordinate to one another, but each supreme in its own defined sphere. The application of this principle made it possible not only to create a National government which should leave free scope for the working of the State governments, but also so to divide the powers of the National government among various persons and bodies as that none should absorb or overbear the others. By what machinery these objects were attained will appear when we come to consider the effect of a written or rigid constitution embodying a fundamental law, and the functions of the judiciary° in expounding and applying such a law.

NATURE OF THE FEDERAL GOVERNMENT[1]

The acceptance of the Constitution of 1789 made the American people a nation. It turned what had been a League of States into a Federal State, by giving it a National Government with a direct authority over all citizens. But as this national government was not to supersede the governments of the States, the problem which the Constitution-makers had to solve was twofold. They had to create a central government. They had also to determine the relations of this central government to the States as well as to the individual citizen. An exposition of the Constitution and criticism of its working must therefore deal with it in these two aspects, as a system of national government built up of executive powers and legislative bodies, like the monarchy of England or the republic of France, and as a Federal system linking together and regulating the relations of a number of commonwealths which are for certain purposes, but for certain purposes only, subordinated to it. It will conduce to clearness if these two aspects are kept distinct; and the most convenient course will be to begin with the former, and first to describe the American system as a National system, leaving its Federal character for the moment on one side.

It must, however, be remembered that the Constitution does not profess to be a complete scheme of govern-

[1] *The American Commonwealth*, Chapter IV.

ment, creating organs for the discharge of all the functions and duties which a civilized community undertakes. It presupposes the State governments. It assumes their existence, their wide and constant activity. It is a scheme designed to provide for the discharge of such and so many functions of government as the States did not, and indeed could not, or at any rate could not adequately, possess and discharge. It is therefore, so to speak, the complement and crown of the State Constitutions which must be read along with it and into it in order to make it cover the whole field of civil government, as do the Constitutions of such countries as France, Belgium, Italy.

The administrative, legislative, and judicial functions for which the Federal Constitution provides are those relating to matters which must be deemed common to the whole nation, either because all the parts of the nation are alike interested in them, or because it is only by the nation as a whole that they can be satisfactorily undertaken. The chief of these common or national matters° are —

War and peace : treaties and foreign relations generally.
Army and navy.
Federal courts of justice.
Commerce, foreign and between the several States.
Currency.
Copyright and patents.
The post-office and post roads.
Taxation for the foregoing purposes, and for the general support of the Government.
The protection of citizens against unjust or discriminating legislation by any State.

This list includes the subjects upon which the national legislature has the right to legislate, the national executive to enforce the Federal laws and generally to act in defence of national interests, the national judiciary to adjudicate. All other legislation and administration is left to the several States, without power of interference by the Federal legislature or Federal executive.

Such then being the sphere of the National government, let us see in what manner it is constituted, of what departments it consists.

The framers of this government set before themselves four objects as essential to its excellence, viz. —

Its vigour and efficiency.

The independence of each of its departments (as being essential to the permanency of its form).

Its dependence on the people.

The security under it of the freedom of the individual.

The first of these objects they sought by creating a strong executive, the second by separating the legislative, executive, and judicial powers from one another, and by the contrivance of various checks and balances, the third by making all authorities elective and elections frequent, the fourth both by the checks and balances aforesaid, so arranged as to restrain any one department from tyranny, and by placing certain rights of the citizen under the protection of the written constitution.

They had neither the rashness nor the capacity necessary for constructing a Constitution *a priori*. There is wonderfully little genuine inventiveness in the world, and perhaps least of all has been shown in the sphere of political institutions. These men, practical politicians who knew how infinitely difficult a business government

is, desired no bold experiments. They preferred, so far as circumstances permitted, to walk in the old paths, to follow methods which experience had tested.° Accordingly they started from the system on which their own colonial governments, and afterwards their State governments, had been conducted. This system bore a general resemblance to the British Constitution; and in so far it may with truth be said that the British Constitution became a model for the new national government. They held England to be the freest and best-governed country in the world, but were resolved to avoid the weak points which had enabled King George III. to play the tyrant, and which rendered English liberty, as they thought, far inferior to that which the constitutions of their own States secured. With this venerable mother, and these children, better in their judgment than the mother, before their eyes, they created an executive magistrate, the President, on the model of the State Governor, and of the British Crown. They created a legislature of two Houses, Congress, on the model of the two Houses of their State legislatures, and of the British Parliament. And following the precedent of the British judges, irremovable except by the Crown and Parliament combined, they created a judiciary appointed for life, and irremovable save by impeachment.°

In these great matters, however, as well as in many lesser matters, they copied not so much the Constitution of England as the Constitutions of their several States, in which, as was natural, many features of the English Constitution had been embodied. It has been truly said that nearly every provision of the Federal

Constitution that has worked well is one borrowed from or suggested by some State constitution; nearly every provision that has worked badly is one which the Convention, for want of a precedent, was obliged to devise for itself. To insist on this is not to detract from the glory of that illustrious body, for if we are to credit them with less inventiveness than has sometimes been claimed for them, we must also credit them with a double portion of the wisdom which prefers experience to *a priori* theory, and the sagacity which selects the best materials from a mass placed before it, aptly combining them to form a new structure.

Of minor divergences between their work and the British Constitution I shall speak subsequently. But one profound difference must be noted here. The British Parliament had always been, was then, and remains now, a sovereign and constituent assembly. It can make and unmake any and every law, change the form of government or the succession to the crown, interfere with the course of justice, extinguish the most sacred private rights of the citizen. Between it and the people at large there is no legal distinction, because the whole plenitude of the people's rights and powers resides in it, just as if the whole nation were present within the chamber where it sits. In point of legal theory it is the nation, being the historical successor of the Folk Moot° of our Teutonic forefathers. Both practically and legally, it is to-day the only and the sufficient depository of the authority of the nation; and is therefore within the sphere of law, irresponsible and omnipotent.

In the American system there exists no such body. Not merely Congress alone, but also Congress and the

President conjoined, are subject to the Constitution, and cannot move a step outside the circle which the Constitution has drawn around them. If they do, they transgress the law and exceed their powers. Such acts as they may do in excess of their powers are void, and may be, indeed ought to be, treated as void by the meanest citizen. The only power which is ultimately sovereign, as the British Parliament is always and directly sovereign, is the people of the States, acting in the manner prescribed by the Constitution, and capable in that manner of passing any law whatever in the form of a constitutional amendment.

This fundamental divergence from the British system is commonly said to have been forced upon the men of 1787 by the necessity, in order to safeguard the rights of the several States, of limiting the competence of the national government.° But even supposing there had been no States to be protected, the jealousy which the American people felt of those whom they chose to govern them, their fear lest one power in the government should absorb the rest, their anxiety to secure the primordial rights of the citizens from attack, either by magistrate or by legislature, would doubtless have led, as happened with the earlier constitutions of revolutionary France, to the creation of a supreme constitution or fundamental instrument of government, placed above and controlling the national legislature itself. They had already such fundamental instrument in the charters of the colonies, which had passed into the constitutions of the several States; and they would certainly have followed, in creating their national constitution, a precedent which they deemed so precious.

The subjection of all the ordinary authorities and organs of government to a supreme instrument expressing the will of the sovereign people, and capable of being altered by them only, has been usually deemed the most remarkable novelty of the American system. But it is merely an application to the wider sphere of the nation, of a plan approved by the experience of the several States. And the plan had, in these States, been the outcome rather of a slow course of historical development than of conscious determination taken at any one point of their progress from petty settlements to powerful republics. Nevertheless, it may well be that the minds of the leaders who guided this development were to some extent influenced and inspired by recollections of the English Commonwealth,° of the seventeenth century, which had seen the establishment, though for a brief space only, of a genuine supreme or rigid constitution, in the form of the famous Instrument of Government of A.D. 1653,° and some of whose sages had listened to the discourses in which James Harrington,° one of the most prescient minds of that great age, showed the necessity for such a constitution, and laid down its principles, suggesting that, in order to give it the higher authority, it should be subscribed by the people themselves.

GENERAL OBSERVATIONS ON THE FRAME OF NATIONAL GOVERNMENT[1]

THE account which has been so far given of the working of the American Government has been necessarily an account rather of its mechanism than of its spirit. Its practical character, its temper and colour, so to speak, largely depend on the party system by which it is worked, and on what may be called the political habits of the people. These will be described in later chapters. Here, however, before quitting the study of the constitutional organs of government, it is well to sum up the criticisms we have been led to make, and to add a few remarks, for which no fitting place could be found in preceding chapters, on the general features of the national government.

I. No part of the Constitution cost its framers so much time and trouble as the method of choosing the President. They saw the evils of a popular vote. They saw also the objections to placing in the hands of Congress the election of a person whose chief duty it was to hold Congress in check. The plan of having him selected by judicious persons, especially chosen by the people for that purpose, seemed to meet both difficulties, and was therefore recommended with confidence. The presidential electors have, however, turned out mere cyphers, and the President is practically chosen

[1] *The American Commonwealth*, Chapter XXVI.

by the people at large. The only importance which the elaborate machinery provided in the Constitution retains, is that it prevents a simple popular vote in which the majority of the nation should prevail, and makes the issue of the election turn on the voting in certain "pivotal" States.

II. The choice of the President, by what is now practically a simultaneous popular vote, not only involves once in every four years a tremendous expenditure of energy, time, and money, but induces a sort of crisis which, if it happens to coincide with any passion powerfully agitating the people, may be dangerous to the commonwealth.

III. There is a risk that the result of a presidential election may be doubtful or disputed on the ground of error, fraud, or violence. When such a case arises, the difficulty of finding an authority competent to deal with it, and likely to be trusted, is extreme. Moreover, the question may not be settled until the pre-existing executive has, by effluxion of time, ceased to have a right to the obedience of the citizens. The experience of the election of 1876° illustrates these dangers. Such a risk of interregna is incidental to all systems, monarchic or republican, which make the executive head elective, as witness the Romano-Germanic Empire° of the Middle Ages, and the Papacy.° But it is more serious where he is elected by the people than where, as in France or Switzerland, he is chosen by the Chambers.°

IV. The change of the higher executive officers, and of many of the lower executive officers also, which usually takes place once in four years, gives a jerk to the ma-

chinery, and causes a discontinuity of policy, unless, of course, the President has served only one term, and is re-elected. Moreover, there is generally a loss either of responsibility or of efficiency in the executive chief magistrate during the last part of his term. An outgoing President may possibly be a reckless President, because he has little to lose by misconduct, little to hope from good conduct. He may therefore abuse his patronage, or gratify his whims with impunity. But more often he is a weak President.° He has little influence with Congress, because his patronage will soon come to an end, little hold on the people, who are already speculating on the policy of his successor. His secretary of state may be unable to treat boldly with foreign powers, who perceive that he has a diminished influence in the Senate, and know that the next secretary may have different views.

The question whether the United States, which no doubt needed a President in 1789 to typify the then created political unity of the nation, might not now dispense with one, has never been raised in America, where the people, though dissatisfied with the method of choice, value the office because it is independent of Congress and directly responsible to the people. Americans condemn any plan under which, as once befell in France, the legislature can drive a President from power and itself proceed to choose a new one.°

V. The Vice-President's office is ill-conceived. His only ordinary function is to act as Chairman of the Senate, but as he does not appoint the Committees of that House, and has not even a vote (except a casting vote in it), this function is of little moment. If, how-

ever, the President dies, or becomes incapable of acting, or is removed from office, the Vice-President succeeds to the Presidency. What is the result? The place being in itself unimportant, the choice of a candidate for it excites little interest, and is chiefly used by the party managers as a means of conciliating a section of their party. It becomes what is called "a complimentary nomination." The man elected Vice-President is therefore rarely if ever, when selected, a man in the front rank. But when the President dies during his term of office, which has happened to five out of the twenty Presidents,° this possibly second-class man steps into a great place for which he was never intended. Sometimes, as in the case of Mr. Arthur,° he fills the place respectably. Sometimes, as in that of Andrew Johnson,° he throws the country into confusion.

He is *aut nullus aut Cæsar*.°

VI. The defects in the structure and working of Congress, and in its relations to the executive, have been so fully dwelt on already that it is enough to refer summarily to them. They are —

The discontinuity of Congressional policy.

The want of adequate control over officials.

The want of opportunities for the executive to influence the legislature.

The want of any authority charged to secure the passing of such legislation as the country needs.

The frequency of disputes between three co-ordinate powers, the President, the Senate, and the House.

The maintenance of a continuous policy is a difficulty in all popular governments. In the United States it is specially so, because —

The executive head and his ministers are necessarily (unless when a President is re-elected) changed once every four years.

One House of Congress is changed every two years.

Neither House recognizes permanent leaders.

No accord need exist between Congress and the executive.

There may not be such a thing as a Party in Power, in the European sense, because the party to which the Executive belongs may be in a minority in one or both Houses of Congress, in which case it cannot do anything which requires fresh legislation, — may be in a minority in the Senate, in which case it can take no administrative act of importance.

There is little true leadership in political action, because the most prominent man has no recognized party authority. Congress was not elected to support him. He cannot threaten disobedient followers with a dissolution of Parliament like an English prime minister. He has not even the French president's right of dissolving the House with the consent of the Senate.

There is often no general and continuous cabinet policy, because the cabinet has no authority over Congress, may perhaps have no influence with it.

There is no general or continuous legislative policy, because the legislature, having neither recognized leaders, nor a guiding committee, acts through a large number of committees, independent of one another, and seldom able to bring their measure to maturity. What continuity exists is due to the general acceptance of a few broad maxims, such as that of non-intervention in the affairs of the Old World, and to the fact that a large

nation does not frequently or lightly change its views upon leading principles. In minor matters of legislation there is little settled policy, for the Houses trifle with questions, take them up in one session and drop them the next, seem insensible to the duty of completing work once begun, and are too apt to yield to the pressure which small sections, or even influential individuals in their constituencies, exert upon them to arrest some measure the public interest demands. Neither is there any security that Congress will attend to such defects in the administrative system of the country as may need a statute to correct them. In Europe the daily experience of the administrative departments discloses faults or omissions in the law which involve needless trouble to officials, needless cost to the treasury, needless injustice to classes of the people. Sometimes for their own sakes, sometimes from that desire to see things well done which is the life-breath of a good public servant, the permanent officials call the attention of their parliamentary chief, the minister, to the defective state of the law, and submit to him the draft of a bill to amend it. He brings in this bill, and if it involves no matter of political controversy (which it rarely does), he gets it passed. As an American minister has no means (except by the favour of a committee) of getting anything he proposes attended to by Congress, it is a mere chance if such amending statutes as these are introduced or pass into law. And it sometimes happens that when he sees the need for an improvement he cannot carry it, because selfish interests oppose it, and he has not that command of a majority by means of which a European minister is able to effect reforms.

These defects are all reducible to two. There is an excessive friction in the American system, a waste of force in the strife of various bodies and persons created to check and balance one another. There is a want of executive unity, and therefore a possible want of executive vigour. Power is so much subdivided that it is hard at a given moment to concentrate it for prompt and effective action. In fact, this happens only when a distinct majority of the people are so clearly of one mind that the several co-ordinate organs of government obey this majority, uniting their efforts to serve its will.

VII. The relations of the people to the legislature are in every free country so much the most refined and delicate, as well as so much the most important part of the whole scheme and doctrine of government, that we must not expect to find perfection anywhere. But comparing America with Great Britain since 1832,° the working of the representative system in America seems somewhat inferior.

There are four essentials to the excellence of a representative system: —

That the representatives shall be chosen from among the best men of the country, and, if possible, from its natural leaders.

That they shall be strictly and palpably responsible to their constituents for their speeches and votes.

That they shall have courage enough to resist a momentary impulse of their constituents which they think mischievous, *i.e.* shall be representatives rather than mere delegates.

That they individually, and the Chamber they form shall have a reflex action on the people, *i.e.* that

> while they derive authority from the people, they shall also give the people the benefit of the experience they acquire in the Chamber, as well as of the superior knowledge and capacity they may be presumed to possess.

Americans hold, and no doubt correctly, that of these four requisites, the first, third, and fourth are not attained in their country. Congressmen are not chosen from among the best citizens. They mostly deem themselves mere delegates. They do not pretend to lead the people, being indeed seldom specially qualified to do so.

That the second requisite, responsibility, is not fully realized seems surprising in a democratic country, and indeed almost inconsistent with that conception of the representative as a delegate, which is supposed, perhaps erroneously, to be characteristic of democracies. Still the fact is there. One cause, already explained, is to be found in the committee system. Another is the want of organized leadership in Congress. In Europe, a member's responsibility takes the form of his being bound to support the leader of his party on all important divisions. In America, this obligation attaches only when the party has "gone into caucus,"° and there resolved upon its course. Not having the right to direct, the leader cannot be held responsible for the action of the rank and file. As a third cause we may note the fact that owing to the restricted competence of Congress many of the questions which chiefly interest the voter do not come before Congress at all, so that its proceedings are not followed with that close and keen attention which the debates and divisions of European Chambers

excite, and some may think that a fourth cause is found in the method by which candidates for membership of Congress are selected. That method is described in later chapters.[1] Its effect has been to make Congressmen (including Senators) be, and feel themselves to be, the nominees of the party organizations rather than of the citizens, and thus it has interposed what may for some purposes be called a sort of non-conducting medium between the people and their representatives.

In general the reciprocal action and reaction between the electors and Congress, what is commonly called the "touch" of the people with their agents, is not sufficiently close, quick, and delicate. Representatives ought to give light and leading to the people, just as the people give stimulus and momentum to their representatives. This incidental merit of the parliamentary system is among its greatest merits. But in America the action of the voter does not fully tell upon Congress. He votes for a candidate of his own party, but he does not convey to that candidate an impulse towards the carrying of particular measures, because the candidate when in Congress, will be practically unable to promote those measures, unless he happens to be placed on the committee to which they are referred. Hence the citizen, when he casts his ballot, can seldom feel that he is advancing any measure or policy, except the vague and general policy indicated in his party platform. He is voting for a party, but he does not know what the party will do, and for a man, but a man whom chance may deprive of the opportunity of advocating the measures he cares most for.

[1] See *The American Commonwealth*, Chapters LIX to LXVI.

Conversely, Congress does not guide and illuminate its constituents. It is amorphous, and has little initiative. It does not focus the light of the nation, does not warm its imagination, does not dramatize principles° in the deeds and characters of men. This happens because, in ordinary times, it lacks great leaders, and the most obvious cause why it lacks them, is its disconnection from the executive. As it is often devoid of such men, so neither does the country habitually come to it to look for them. In the old days, neither Hamilton, nor Jefferson, nor John Adams,° in later days, neither Stanton,° nor Grant,° nor Tilden,° nor Cleveland,° nor Roosevelt,° ever sat in Congress. Lincoln° sat for two years only, and owed little of his subsequent eminence to his career there.

VIII. The independence of the judiciary, due to its holding for life, has been a conspicuous merit of the Federal system, as compared with the popular election and short terms of judges in most of the States. Yet even the Federal judiciary is not secure from the attacks of the two other powers, if combined. For the legislature may by statute increase the number of Federal justices, increase it to any extent, since the Constitution leaves the number undetermined and the President may appoint persons whom he knows to be actuated by a particular political bias, perhaps even prepared to decide specific questions in a particular sense. Thus he and Congress together may obtain such a judicial determination of any constitutional question as they join in desiring, even although that question has been heretofore differently decided by the Supreme court. The only safeguard is in the disapproval of the people.

It is worth remarking that the points in which the American frame of national government has proved least successful are those which are most distinctly artificial, *i.e.* those which are not the natural outgrowth° of old institutions and well-formed habits, but devices consciously introduced° to attain specific ends. The election of the President and Vice-President by electors appointed *ad hoc*° is such a device. The functions of the judiciary do not belong to this category; they are the natural outgrowth of common law doctrines and of the previous history of the colonies and States; all that is novel in them, for it can hardly be called artificial, is the creation of Courts co-extensive with the sphere of the national government.

All the main features of American government may be deduced from two principles. One is the sovereignty of the people, which expresses itself in the fact that the supreme law — the Constitution — is the direct utterance of their will, that they alone can amend it, that it prevails against every other law, that whatever powers it does not delegate are deemed to be reserved to it, that every power in the State draws its authority, whether directly, like the House of Representatives, or in the second degree, like the President and the Senate, or in the third degree, like the Federal judiciary, from the people, and is legally responsible to the people, and not to any one of the other powers.

The second principle, itself a consequence of this first one, is the distrust of the various organs and agents of government. The States are carefully safeguarded against aggression by the central government. So are the individual citizens. Each organ of government,

the executive, the legislature, the judiciary, is made a jealous observer and restrainer of the others. Since the people, being too numerous, cannot directly manage their affairs, but must commit them to agents, they have resolved to prevent abuses by trusting each agent as little as possible, and subjecting him to the oversight of other agents, who will harass and check him if he attempts to overstep his instructions.

Some one has said that the American Government and Constitution are based on the theology of Calvin° and the philosophy of Hobbes.° This at least is true, that there is a hearty Puritanism° in the view of human nature which pervades the instrument of 1787. It is the work of men who believed in original sin, and were resolved to leave open for transgressors no door° which they could possibly shut. Compare this spirit with the enthusiastic optimism of the Frenchmen of 1789.° It is not merely a difference of race temperaments; it is a difference of fundamental ideas.

With the spirit of Puritanism there is blent a double portion of the spirit of legalism. Not only is there no reliance on ethical forces to help the government to work: there is an elaborate machinery of law to preserve the equilibrium of each of its organs. The aim of the Constitution seems to be not so much to attain great common ends by securing a good government as to avert the evils which will flow, not merely from a bad government, but from any government strong enough to threaten the pre-existing communities or the individual citizen.

The spirit of 1776, as it speaks to us from the Declaration of Independence and the glowing periods of Patrick

Henry,° was largely a revolutionary spirit, revolutionary in its faith in abstract principles, revolutionary also in its determination to carry through a tremendous political change in respect of grievances which the calm judgment of history does not deem intolerable, and which might probably have been redressed by less trenchant methods. But the spirit of 1787 was an English spirit, and therefore a conservative spirit, tinged, no doubt, by the hatred to tyranny developed in the revolutionary struggle, tinged also, by the nascent dislike to inequality, but in the main an English spirit, which desired to walk in the old paths of precedent, which thought of government as means of maintaining order and securing to every one his rights, rather than as a great ideal power, capable of guiding and developing a nation's life. And thus, though the Constitution of 1789 represented a great advance on the still oligarchic system of contemporary England, it was yet, if we regard simply its legal provisions, the least democratic of democracies. Had the points which it left undetermined, as for instance the qualifications of congressional electors, been dealt with in an aristocratic spirit, had the legislation of Congress and of the several States taken an aristocratic turn, it might have grown into an aristocratic system. The democratic character which it now possesses is largely the result of subsequent events, which have changed the conditions under which it had to work, and have delivered its development into the hands of that passion for equality which has become a powerful factor in the modern world everywhere.

He who should desire to draw an indictment against

the American scheme of government might make it a long one, and might for every count in it cite high American authority and adduce evidence from American history. Yet a European reader would greatly err were he to conclude that this scheme of government is a failure, or is, indeed, for the purposes of the country inferior to the political system of any of the great nations, in the Old World.

All governments are faulty; and an equally minute analysis of the constitution of England, or France, or Germany would disclose mischiefs as serious, relatively to the problems with which those states have to deal, as those we have noted in the American system. To any one familiar with the practical working of free governments it is a standing wonder that they work at all. The first impulse of mankind is to follow and obey; servitude rather than freedom is their natural state. With freedom, when it emerges among the more progressive races, there come dissension and faction; and it takes many centuries to form those habits of compromise, that love of order, and that respect for public opinion which make democracy tolerable. What keeps a free government going is the good sense and patriotism of the people, or of the guiding class, embodied in usages and traditions which it is hard to describe, but which find, in moments of difficulty, remedies for the inevitable faults of the system. Now, this good sense and that power of subordinating sectional to national interests which we call patriotism, exist in higher measure in America than in any of the great states of Europe. And the United States, more than any other country, are governed by public opinion,°

that is to say, by the general sentiment of the mass of the nation, which all the organs of the national government and of the State governments look to and obey.

A philosopher from Jupiter or Saturn who should examine the constitution of England or that of America would probably pronounce that such a body of complicated devices, full of opportunities for conflict and deadlock, could not work at all. Many of those who examined the American Constitution when it was launched did point to a multitude of difficulties, and confidently predicted its failure. Still more confidently did the European enemies of free government declare in the crisis of the War of Secession° that "the republican bubble had burst." Some of these censures were well grounded, though there were also defects which had escaped criticism, and were first disclosed by experience. But the Constitution has lived on in spite of all defects, and seems stronger now than at any previous epoch.

Every constitution, like every man, has "the defects of its good qualities." If a nation desires perfect stability it must put up with a certain slowness and cumbrousness; it must face the possibility of a want of action where action is called for. If, on the other hand, it seeks to obtain executive speed and vigour by a complete concentration of power, it must run the risk that power will be abused and irrevocable steps too hastily taken. "The liberty-loving people of every country," says Judge Cooley,° "take courage from American freedom, and find augury of better days for themselves from American prosperity. But America is not so much an example in her liberty as in the cove-

nanted and enduring securities which are intended to prevent liberty degenerating into license, and to establish a feeling of trust and repose under a beneficent government, whose excellence, so obvious in its freedom, is still more conspicuous in its careful provision for permanence and stability." Those faults on which I have laid stress, the waste of power by friction, the want of unity and vigour in the conduct of affairs by executive and legislature, are the price which the Americans pay for the autonomy of their States, and for the permanence of the equilibrium among the various branches of their government. They pay this price willingly, because these defects are far less dangerous to the body politic than they would be in a European country. Take for instance the shortcomings of Congress as a legislative authority. Every European country is surrounded by difficulties which legislation must deal with, and that promptly. But in America, where those relics of mediæval privilege and injustice that still cumber most parts of the Old World either never existed, or were long ago abolished, where all the conditions of material prosperity exist in ample measure, and the development of material resources occupies men's minds, where nearly all social reforms lie within the sphere of State action, — in America there has generally been less desire than in Europe for a perennial stream of federal legislation. People have been contented if things go on fairly well as they are. Political philosophers, or philanthropists, perceive not a few improvements which federal statutes might effect, but the mass of the nation has not greatly complained, and the wise see Congress so often on the point

of committing mischievous errors that they do not deplore the barrenness of session after session.

Every European state has to fear not only the rivalry but the aggression of its neighbours. Even Britain, so long safe in her insular home, has lost some of her security by the growth of steam navies, and has in her Indian and colonial possessions given pledges to Fortune all over the globe. She, like the Powers of the European Continent, must maintain her system of government in full efficiency for war as well as for peace, and cannot afford to let her armaments decline, her finances become disordered, the vigour of her executive authority be impaired, sources of internal discord continue to prey upon her vitals. But America lives in a world of her own, *ipsa suis pollens opibus, nihil indiga nostri.*° Safe from attack, safe even from menace, she hears from afar the warring cries of European races and faiths, as the gods of Epicurus° listened to the murmurs of the unhappy earth spread out beneath their golden dwellings,

"Sejuncta a rebus nostris semotaque longe." °

Had Canada or Mexico grown to be a great power, had France not sold Louisiana, or had England, rooted on the American continent, become a military despotism, the United States could not indulge the easy optimism which makes them tolerate the faults of their government. As it is, that which might prove to a European state a mortal disease is here nothing worse than a teasing ailment. Since the War of Secession ended, no serious danger has arisen either from within or from without to alarm transatlantic statesmen. Social convulsions from within, warlike assaults from without,

seem now as unlikely to try the fabric of the American Constitution, as an earthquake to rend the walls of the Capitol. This is why the Americans submit, not merely patiently but hopefully, to the defects of their government. The vessel may not be any better built, or found, or rigged than are those which carry the fortunes of the great nations of Europe. She is certainly not better navigated. But for the present at least — it may not always be so — she sails upon a summer sea.

It must never be forgotten that the main object which the framers of the Constitution set before themselves has been achieved. When Sieyès° was asked what he had done during the Reign of Terror,° he answered, "I lived." The Constitution as a whole has stood and stands unshaken. The scales of power have continued to hang fairly even. The President has not corrupted and enslaved Congress: Congress has not paralyzed and cowed the President. The legislative may have sometimes appeared to be gaining on the executive department; but there are also times when the people support the President against the legislature, and when the legislature is obliged to recognize the fact. Were George Washington to return to earth, he might be as great and useful a President as he was more than a century ago. Neither the legislature nor the executive has for a moment threatened the liberties of the people. The States have not broken up the Union, and the Union has not absorbed the States. No wonder that the Americans are proud of an instrument under which this great result has been attained, which has passed unscathed through the furnace of civil war, which has been found capable of

embracing a body of commonwealths more than three times as numerous, and with thirty-fold the population of the original States, which has cultivated the political intelligence of the masses to a point reached in no other country, which has fostered and been found compatible with a larger measure of local self-government than has existed elsewhere. Nor is it the least of its merits to have made itself beloved. Objections may be taken to particular features, and these objections point, as most American thinkers are agreed, to practical improvements which would preserve the excellences and remove some of the inconveniences. But reverence for the Constitution has become so potent a conservative influence, that no proposal of fundamental change seems likely to be entertained. And this reverence is itself one of the most wholesome and hopeful elements in the character of the American people.

THE FEDERAL SYSTEM[1]

The contests in the Convention of 1787 over the framing of the Constitution, and in the country over its adoption, turned upon two points: the extent to which the several States should be recognized as independent and separate factors in the construction of the National government, and the quantity and nature of the powers which should be withdrawn from the States to be vested in that government. It has been well remarked that "the first of these, the definition of the structural powers, gave more trouble at the time than the second, because the line of partition between the powers of the States and the Federal government had been already fixed by the whole experience of the country." But since 1791 there has been practically no dispute as to the former point, and little as to the propriety of the provisions which define the latter. On the interpretation of these provisions there has, however, been endless debate, some deeming the Constitution to have taken more from the States, some less; while still warmer controversies have raged as to the matters which the instrument does not expressly deal with, and particularly whether the States retain their sovereignty, and with it the right of nullifying or refusing to be bound by certain acts of the national government, and in the last resort of withdrawing from the

[1] *The American Commonwealth*, Chapter XXVII.

Union. As these latter questions (nullification and secession) have now been settled by the Civil War, we may say that in the America of to-day there exists a general agreement —

That every State on entering the Union finally renounced its sovereignty, and is now for ever subject to the Federal authority as defined by the Constitution.

That the functions of the States as factors of the national government are satisfactory, *i.e.* sufficiently secure its strength and the dignity of these communities.

That the delimitation of powers between the national government and the States, contained in the Constitution, is convenient, and needs no fundamental alteration.°

The ground which we have to tread during the remainder of this chapter is therefore no longer controversial ground, but that of well-established law and practice.

I. The distribution of powers between the National and the State governments is effected in two ways — Positively, by conferring certain powers on the National government; Negatively, by imposing certain restrictions on the States. It would have been superfluous to confer any powers on the States, because they retain all powers not actually taken from them. A lawyer may think that it was equally unnecessary and, so to speak, inartistic, to lay any prohibitions on the National government, because it could *ex hypothesi*° exercise no powers not expressly granted. However, the anxiety of the States to fetter the master they were giving themselves caused the introduction of provisions qualify-

ing the grant of express powers, and interdicting the National government° from various kinds of action on which it might otherwise have been tempted to enter. The matter is further complicated by the fact that the grant of power to the National government is not in all cases an exclusive grant: *i.e.* there are matters which both, or either, the States and the National government may deal with. "The mere grant of a power to Congress does not of itself, in most cases, imply a prohibition upon the States to exercise the like power. . . . It is not the mere existence of the National power, but its exercise, which is incompatible with the exercise of the same power by the States."° Thus we may distinguish the following classes of governmental powers: —

Powers vested in the National government alone.

Powers vested in the States alone.

Powers exercisable by either the National government or the States.

Powers forbidden to the National government.

Powers forbidden to the State governments.

It might be thought that the two latter classes are superfluous, because whatever is forbidden to the National government must be permitted to the States, and conversely, whatever is forbidden to the States must be permitted to the National government. But this is not so. For instance, Congress can grant no title of nobility (Art. i. § 9). But neither can a State do so (Art. i. § 10). The National government cannot take private property for public use without just compensation (Amendment v.). Apparently neither can any State do so (Amendment xiv. as interpreted in several cases). So no State can pass any law impairing the

obligation of a contract (Art. i. § 10). But the National government, although not subject to a similar direct prohibition, has received no general power to legislate as regards ordinary contracts, and might therefore in some cases find itself equally unable to pass a law which a State legislature, though for a different reason, could not pass.° So no State can pass any *ex post facto*° law. Neither can Congress.

What the Constitution has done is not to cut in half the totality of governmental functions and powers, giving part to the national government and leaving all the rest to the States, but to divide up this totality of authority into a number of parts which do not exhaust the whole, but leave a residuum of powers neither granted to the Union nor continued to the States but reserved to the people, who, however, can put them in force only by the difficult process of amending the Constitution. In other words, there are things in America which there exists no organized and permanent authority capable of legally doing, not a State, because it is expressly forbidden, not the national government, because it either has not received the competence or has been expressly forbidden. Suppose, for instance, that there should arise a wish to pass for California such a measure as the Irish Land Act° passed by the British Parliament in 1881. Neither the State legislature of California, nor the people of California assembled in a constitutional convention, could pass such a measure, because it would violate the obligation of contracts, and thereby transgress Art. i. § 10 of the Federal Constitution. Whether the Federal Congress could pass such a measure is at least extremely doubtful, because the

Constitution, though it has imposed no prohibition such as that which restricts a State, does not seem to have conferred on Congress the right of legislating° on such a matter at all. If, therefore, an absolute and overwhelming necessity for the enactment of such a measure should arise, the safer if not the only course would be to amend the Federal Constitution, either by striking out the prohibition on the States or by conferring the requisite power on Congress, a process which would probably occupy more than a year, and which requires the concurrence of two-thirds of both Houses of Congress and of three-fourths of the States.

II. The powers vested in the National government alone are such as relate to the conduct of the foreign relations of the country and to such common national purposes as the army and navy, interstate commerce, currency, weights and measures, and the post-office, with provisions for the management of the machinery, legislative, executive, and judicial, charged with these purposes.°

The powers which remain vested in the States alone are all the other ordinary powers of internal government, such as legislation on private law, civil and criminal, the maintenance of law and order, the creation of local institutions, the provision for education and the relief of the poor, together with taxation for the above purposes.

III. The powers which are exercisable concurrently by the National government and by the States are —

Powers of legislation on some specified subjects, such as bankruptcy and certain commercial matters (*e.g.* pilot laws and harbour regulations), but so that

State legislation shall take effect only in the absence of Federal legislation.

Powers of taxation, direct or indirect, but so that neither Congress nor a State shall tax exports from any State, and so that neither any State shall, except with the consent of Congress, tax any corporation or other agency created for Federal purposes or any act done under Federal authority, nor the National government tax any State° or its agencies or property.

Judicial powers in certain classes of cases where Congress might have legislated, but has not, or where a party to a suit has a choice to proceed either in a Federal or a State court.

Powers of determining matters relating to the election of representatives and senators (but if Congress determines, the State law gives way).

IV. The prohibitions imposed on the National government are set forth in Art. i. § 9, and in the first ten amendments. The most important are —

Writ of habeas corpus may not be suspended, nor bill of attainder or *ex post facto* law passed.°

No commercial preference shall be given to one State over another.

No title of nobility shall be granted.

No law shall be passed establishing or prohibiting any religion, or abridging the freedom of speech or of the press, or of public meeting or of bearing arms.

No religious test shall be required as a qualification for any office under the United States.

No person shall be tried for a capital or otherwise infamous crime unless on the presentment of a grand jury, or be subjected to a second trial for the same

offence, or be compelled to be a witness against himself, or be tried otherwise than by a jury of his State and district.

No common law action shall be decided except by a jury where the value in dispute exceeds $20, and no fact determined by a jury shall be re-examined otherwise than by the rules of the common law.°

V. The prohibitions imposed on the States are contained in Art. i. § 10, and in the three latest amendments. They are intended to secure the National government against attempts by the States to trespass on its domain, and to protect individuals against oppressive legislation.

No State shall — Make any treaty or alliance: coin money: make anything but gold and silver coin a legal tender: pass any bill of attainder, *ex post facto* law, or law impairing the obligation of contracts: grant any titles of nobility.

No State shall without the consent of Congress — Lay duties on exports or imports (the produce of such, if laid, going to the national treasury): keep troops or ships of war in peace time: enter into an agreement with another State or with any foreign power: engage in war, unless actually invaded or in imminent danger.

Every State must — Give credit to the records and judicial proceedings of every other State: extend the privileges and immunities of citizens to the citizens of other States: deliver up fugitives from justice to the State entitled to claim them.

No State shall have any but a republican form of government.

No State shall — Maintain slavery: abridge the

privileges of any citizen of the United States, or deny to him the right of voting, in respect of race, colour, or previous servitude: deprive any person of life, liberty, or property without due process of law: deny to any person the equal protection of the laws.

Note that this list contains no prohibition to a State to do any of the following things: — Establish a particular form of religion: endow a particular form of religion or educational or charitable establishments connected therewith: abolish trial by jury in criminal or civil cases: suppress the freedom of speaking, writing, and meeting (provided that this be done equally as between different classes of citizens, and provided also that it be not done to such an extent as to amount to a deprivation of liberty without due process of law): limit the electoral franchise to any extent: extend the electoral franchise to women, minors, aliens.

These omissions are significant. They show that the framers of the Constitution had no wish to produce uniformity among the States in government or institutions, and little care to protect the citizens° against abuses of State power. They were content to trust for this to the provisions of the State constitutions. Their chief aim was to secure the National government against encroachments on the part of the States, and to prevent causes of quarrel both between the central and State authorities and between the several States. The result has, on the whole, justified their action. So far from abusing their power of making themselves unlike one another, the States have tended to be too uniform, and had, till near the end of last century, made comparatively few experimental changes in their institutions.

VI. The powers vested in each State are all of them original and inherent powers, which belonged to the State before it entered the Union. Hence they are *prima facie*° unlimited, and if a question arises as to any particular power, it is presumed to be enjoyed by the State, unless it can be shown to have been taken away by the Federal Constitution; or, in other words, a State is not deemed to be subject to any restriction which the Constitution has not distinctly imposed.

The powers granted to the National government are delegated powers, enumerated in and defined by the instrument which has created the Union. Hence the rule that when a question arises whether the National government possesses a particular power, proof must be given that the power was positively granted. If not granted, it is not possessed, because the Union is an artificial creation, whose government can have nothing but what the people have by the Constitution conferred. The presumption is therefore against the National government in such a case, just as it is for the State in a like case.°

VII. The authority of the National government over the citizens of every State is direct and immediate, not exerted through the State organization, and not requiring the co-operation of the State government. For most purposes the National government ignores the States; and it treats the citizens of different States as being simply its own citizens, equally bound by its laws. The Federal courts, revenue officers, and post-office draw no help from any State officials, but depend directly on Washington. Hence, too, of course, there is no local self-government in Federal matters. No

Federal official is elected by the people of any local area. Local government is purely a State affair.

On the other hand, the State in no wise depends on the National government for its organization or its effective working. It is the creation of its own inhabitants. They have given it its constitution. They administer its government. It goes on its own way, touching the National government at but few points. That the two should touch at the fewest possible points was the intent of those who framed the Federal Constitution, for they saw that the less contact, the less danger of collision. Their aim was to keep the two mechanisms as distinct and independent of each other as was compatible with the still higher need of subordinating, for national purposes, the State to the Central government.

VIII. It is a further consequence of this principle that the National government has but little to do with the States as States. Its relations are with their citizens, who are also its citizens, rather than with them as ruling commonwealths. In the following points, however, the Constitution does require certain services of the States: —

It requires each State government to direct the choice of, and accredit to the seat of the National government, two senators, and so many representatives as the State is entitled to send.

It requires similarly that presidential electors be chosen, meet, and vote in the States, and that their votes be transmitted to the national capital.

It requires each State to organize and arm its militia, which, when duly summoned for active service, are placed under the command of the President.

It requires each State to maintain a republican form of government. (Conversely, a State may require the National government to protect it against invasion or domestic violence.)

Note in particular that the National government does not as in some other federations —

Call upon the States, as commonwealths, to contribute funds to its support:

Issue (save in so far as may be needed in order to secure a republican form of government) administrative orders to the States, directing their authorities to carry out its laws or commands:

Require the States to submit their laws to it, and veto such as it disapproves.

The first two things it is not necessary for the National government to do, because it levies its taxes directly by its own collectors, and enforces its laws, commands, and judicial decrees by the hands of its own servants. The last can be dispensed with because the State laws are *ipso jure*° invalid, if they conflict with the Constitution or any treaty or law duly made under it (Art. vi. § 2), while if they do not so conflict they are valid, any act of the National government notwithstanding.

Neither does the National government allow its structure to be dependent on the action of the States. "To make it impossible for a State or group of States to jeopard by inaction or hostile action the existence of the central government," was a prime object with the men of 1787, and has greatly contributed to the solidity of the fabric they reared. The *de facto*° secession of eleven States in 1860–61 interfered with the

regular legal conduct neither of the presidential election of 1864 nor of the congressional elections from 1861 to 1865. Those States were not represented in Congress; but Congress itself went on diminished in numbers yet with its full legal powers, as the British Parliament would go on though all the peers and representatives from Scotland might be absent.

IX. A State is, within its proper sphere, just as legally supreme, just as well entitled to give effect to its own will, as is the National government within its sphere; and for the same reason. All authority flows from the people. The people have given part of their supreme authority to the National, part to the State governments. Both hold by a like title, and therefore the National government, although superior wherever there is a concurrence of powers, has no more right to trespass upon the domain of a State than a State has upon the domain of Federal action. That the course which a State is following is pernicious, that its motives are bad and its sentiments disloyal to the Union, makes no difference until or unless it infringes on the sphere of Federal authority. It may be thought that however distinctly this may have been laid down as a matter of theory, in practice the State will not obtain the same justice as the National government, because the court which decides points of law in dispute between the two is in the last resort a Federal court, and therefore biassed in favour of the Federal government. In fact, however, little or no unfairness° has arisen from this cause. The Supreme court may, as happened for twenty years before the War of Secession, be chiefly composed of States' Rights men. In any case the court cannot

stray far from the path which previous decisions have marked out.

X. There are several remarkable omissions in the constitution of the American federation.

One is that there is no grant of power to the National government to coerce a recalcitrant or rebellious State. Another is that nothing is said as to the right of secession. Any one can understand why this right should not have been granted. But neither is it mentioned to be negatived.

The Constitution was an instrument of compromises; and these were questions which it would have been unwise to raise.

There is no abstract or theoretic declaration regarding the nature of the federation and its government, nothing as to the ultimate supremacy of the central authority outside the particular sphere allotted to it, nothing as to the so-called sovereign rights of the States. As if with a prescience of the dangers to follow, the wise men of 1787 resolved to give no opening° for abstract inquiry and metaphysical dialectic. But in vain. The human mind is not to be so restrained. If the New Testament had consisted of no other writings than the Gospel of St. Matthew and the Epistle of St. James, there would have been scarcely the less a crop of speculative theology. The drily legal and practical character of the Constitution did not prevent the growth of a mass of subtle and, so to speak, scholastic metaphysics regarding the nature of the government it created. The inextricable knots which American lawyers and publicists went on tying, down till 1861, were cut by the sword of the North in the Civil War, and need concern

us no longer. It is now admitted that the Union is not a mere compact between commonwealths, dissoluble at pleasure, but an instrument of perpetual efficacy,° emanating from the whole people, and alterable by them only in the manner which its own terms prescribe. It is "an indestructible Union of indestructible States."

It follows from the recognition of the indestructibility of the Union that there must somewhere exist a force capable of preserving it. The National government is now admitted to be such a force. It can exercise all powers essential to preserve and protect its own existence and that of the States, and the constitutional relation of the States to itself, and to one another.

"May it not," some one will ask, "abuse these powers, abuse them so as to extinguish the States themselves, and turn the federation into a unified government? What is there but the Federal judiciary to prevent this catastrophe? and the Federal judiciary has only moral and not also physical force at its command."

No doubt it may, but not until public opinion supports it in so doing — that is to say, not until the mass of the nation which now maintains, because it values, the Federal system, is possessed by a desire to overthrow that system. Such a desire may express itself in proper legal form by carrying amendments to the Constitution which will entirely change the nature of the government. Or if the minority be numerous enough to prevent the passing of such amendments, and if the desire of the majority be sufficiently vehement, the majority which sways the National government may disregard legal sanctions and effect its object

by a revolution. In either event — and both are improbable — the change which will have passed upon the sentiments of the American people will be a sign that Federalism has done its work, and that the time has arrived for new forms of political life.

MERITS OF THE FEDERAL SYSTEM[1]

I DO not propose to discuss in this chapter the advantages of Federalism in general, for to do this we should have to wander off to other times and countries, to talk of Achaia° and the Hanseatic League and the Swiss Confederation. I shall comment on those merits only which the experience of the American Union illustrates.

There are two distinct lines of argument by which their Federal system was recommended to the framers of the Constitution, and upon which it is still held forth for imitation to other countries. These lines have been so generally confounded that it is well to present them in a precise form.

The first set of arguments point to Federalism proper, and are the following: —

1. That Federalism furnishes the means of uniting commonwealths into one nation under one national government without extinguishing their separate administrations, legislatures, and local patriotisms. As the Americans of 1787 would probably have preferred complete State independence to the fusion of their States into a unified government, Federalism was the only resource. So when the new Germanic Empire, which is really a Federation, was established in 1871, Bavaria and Würtemberg could not have been brought under a national government save by a Federal scheme.

[1] *The American Commonwealth*, Chapter XXX.

Similar suggestions, as every one knows, have been made for re-settling the relations of Ireland to Great Britain, and of the self-governing British colonies to the United Kingdom. There are causes and conditions which dispose independent or semi-independent communities, or peoples living under loosely compacted governments, to form a closer union in a Federal form. There are other causes and conditions which dispose the subjects of one government, or sections of these subjects, to desire to make their governmental union less close by substituting a Federal for a unitary system. In both sets of cases, the centripetal or centrifugal forces spring from the local position, the history, the sentiments, the economic needs of those among whom the problem arises; and that which is good for one people or political body is not necessarily good for another. Federalism is an equally legitimate resource whether it is adopted for the sake of tightening or for the sake of loosening a pre-existing bond.°

2. That Federalism supplies the best means of developing a new and vast country. It permits an expansion whose extent, and whose rate and manner of progress, cannot be foreseen to proceed with more variety of methods, more adaptation of laws and administration to the circumstances of each part of the territory, and altogether in a more truly natural and spontaneous way, than can be expected under a centralized government, which is disposed to apply its settled system through all its dominions. Thus the special needs of a new region are met by the inhabitants in the way they find best: its laws can be adapted to the economic conditions which from time to time present

themselves; its special evils can be cured by special remedies, perhaps more drastic than an old country demands, perhaps more lax than an old country would tolerate; while at the same time the spirit of self-reliance among those who build up these new communities is stimulated and respected.

3. That Federalism prevents the rise of a despotic central government, absorbing other powers, and menacing the private liberties of the citizen. This may now seem to have been an idle fear, so far as America was concerned. It was, however, a very real fear among the ancestors of the present Americans, and nearly led to the rejection even of so undespotic an instrument as the Federal Constitution of 1789. Congress (or the President, as the case may be) is still sometimes described as a tyrant, by the party which does not control it, simply because it is a central government: and the States are represented as bulwarks against its encroachments.

The second set of arguments relate to and recommend not so much Federalism as local self-government. I state them briefly because they are familiar.

4. Self-government stimulates the interest of people in the affairs of their neighbourhood, sustains local political life, educates the citizen in his daily round of civic duty, teaches him that perpetual vigilance and the sacrifice of his own time and labour are the price that must be paid for individual liberty and collective prosperity.

5. Self-government secures the good administration of local affairs by giving the inhabitants of each locality due means of overseeing the conduct of their business.

That these two sets of grounds are distinct appears

from the fact that the sort of local interest which local self-government evokes is quite a different thing from the interest men feel in the affairs of a large body like an American State. So, too, the control over its own affairs of a township, or even a small county, where everybody can know what is going on, is quite different from the control exercisable over the affairs of a commonwealth with a million of people. Local self-government may exist in a unified country like England, and may be wanting in a Federal country like Germany. And in America itself, while some States, like those of New England, possessed an admirably complete system of local government, others, such as Virginia, the old champion of State sovereignty, were imperfectly provided with it. Nevertheless, through both sets of arguments there runs the general principle, applicable in every part and branch of government, that, where other things are equal, the more power is given to the units which compose the nation, be they large or small, and the less to the nation as a whole and to its central authority, so much the fuller will be the liberties and so much greater the energy of the individuals who compose the people. This principle, though it had not been then formulated in the way men formulate it now, was heartily embraced by the Americans. Perhaps it was because they agreed in taking it as an axiom that they seldom referred to it in the subsequent controversies regarding State rights. These controversies proceeded on the basis of the Constitution as a law rather than on considerations of general political theory. A European reader of the history of the first seventy years of the United States is surprised how little is said, through the

interminable discussions regarding the relation of the Federal government to the States, on the respective advantages of centralization or localization of powers as a matter of historical experience and general expediency.

Three further benefits to be expected from a Federal system may be mentioned, benefits which seem to have been unnoticed or little regarded by those who established it in America.

6. Federalism enables a people to try experiments in legislation and administration which could not be safely tried in a large centralized country. A comparatively small commonwealth like an American State easily makes and unmakes its laws; mistakes are not serious, for they are soon corrected; other States profit by the experience of a law or a method which has worked well or ill in the State that has tried it.

7. Federalism, if it diminishes the collective force of a nation, diminishes also the risks to which its size and the diversities of its parts expose it. A nation so divided is like a ship built with water-tight compartments. When a leak is sprung in one compartment, the cargo stowed there may be damaged, but the other compartments remain dry and keep the ship afloat. So if social discord or an economic crisis has produced disorders or foolish legislation in one member of the Federal body, the mischief may stop at the State frontier instead of spreading through and tainting the nation at large.

8. Federalism, by creating many local legislatures with wide powers, relieves the national legislature of a part of that large mass of functions which might otherwise prove too heavy for it. Thus business is more

promptly despatched, and the great central council of the nation has time to deliberate on those questions which most nearly touch the whole country.

All of these arguments recommending Federalism have proved valid in American experience.

To create a nation while preserving the States was the main reason for the grant of powers which the National government received; an all-sufficient reason, and one which holds good to-day. The several States have changed greatly since 1789, but they are still commonwealths whose wide authority and jurisdiction practical men are agreed in desiring to maintain.

Not much was said in the Convention of 1787 regarding the best methods of extending government over the unsettled territories° lying beyond the Alleghany mountains. It was, however, assumed that they would develop as the older colonies had developed, and in point of fact each district, when it became sufficiently populous, was formed into a self-governing State, the less populous divisions still remaining in the status of semi-self-governing Territories. Although many blunders have been committed in the process of development, especially in the reckless contraction of debt and the wasteful disposal° of the public lands, greater evils might have resulted had the creation of local institutions and the control of new communities been left to the Central government. Congress would have been not less improvident than the State governments, for it would have been even less closely watched. The opportunities for jobbery would have been irresistible, the growth of order and civilization probably slower. It deserves to be noticed that, in granting self-government to all those

of her colonies whose population is of English race, England has practically adopted the same plan as the United States have done with their western territory. The results have been generally satisfactory, although England, like America, has found that her colonists have in some regions been disposed to treat the aboriginal inhabitants, whose lands they covet and whose persons they hate, with a harshness and injustice which the mother country would gladly check.

The arguments which set forth the advantages of local self-government were far more applicable to the States of 1787 than to those of 1907. Virginia, then the largest State, had only half a million free inhabitants, less than the present population of Baltimore. Massachusetts° had 450,000, Pennsylvania 400,000, New York 300,000; while Georgia, Rhode Island, and Delaware had (even counting slaves) less than 200,000 between them. These were communities to which the expression "local self-government" might be applied, for, although the population was scattered, the numbers were small enough for the citizens to have a personal knowledge of their leading men, and a personal interest (especially as a large proportion were landowners) in the economy and prudence with which common affairs were managed. Now, however, when of the nearly fifty States twenty-nine have more than a million inhabitants, and six have more than three millions, the newer States,° being, moreover, larger in area than most of the older ones, the stake of each citizen is relatively smaller, and generally too small to sustain his activity in politics, and the party chiefs of the State are known to him only by the newspapers or by their occasional visits on a stumping tour.

All that can be claimed for the Federal system under this head of the argument is that it provides the machinery for a better control of the taxes raised and expended in a given region of the country, and a better oversight of the public works undertaken there than would be possible were everything left to the Central government.° As regards the educative effect of numerous and frequent elections, it will be shown in a later chapter that elections in America are too many and come too frequently. Overtaxing the attention of the citizen and frittering away his interest, they leave him at the mercy of knots of selfish adventurers.

The utility of the State system is localizing disorders or discontents, and the opportunities it affords for trying easily and safely experiments which ought to be tried in legislation and administration, constitute benefits to be set off against the risk, referred to in the last preceding chapters, that evils may continue in a district, may work injustice to a minority and invite imitation by other States, which the wholesome stringency of the Central government might have suppressed.

A more unqualified approval may be given to the division of legislative powers. The existence of the State legislatures relieves Congress of a burden too heavy for its shoulders; for although it has far less foreign policy to discuss than the Parliaments of England, France, or Italy, and although the separation of the executive from the legislative department gives it less responsibility for the ordinary conduct of the administration than devolves on those Chambers, it could not possibly, were its competence as large as theirs, deal with the multiform and increasing demands of the dif-

ferent parts of the Union. There is great diversity in the material conditions of different parts of the country, and at present the people, particularly in the West, are eager to have their difficulties handled, their economic and social needs satisfied, by the State and the law. It would be extremely difficult for any central legislature to pass measures suited to these dissimilar and varying conditions. How little Congress could satisfy them appears by the very imperfect success with which it cultivates the field of legislation to which it is now limited.

These merits of the Federal system of government which I have enumerated are the counterpart and consequences of that limitation of the central authority whose dangers were indicated in the last chapter. They are, if one may reverse the French phrase, the qualities of Federalism's defects. The problem which all federalized nations have to solve is how to secure an efficient central government and preserve national unity, while allowing free scope for the diversities, and free play to the authorities, of the members of the federation. It is, to adopt that favourite astronomical metaphor which no American panegyrist of the Constitution omits, to keep the centrifugal and centripetal forces in equilibrium, so that neither the planet States shall fly off into space, nor the sun of the Central government draw them into its consuming fires. The characteristic merit of the American Constitution lies in the method by which it has solved this problem. It has given the National government a direct authority over all citizens, irrespective of the State governments, and has therefore been able safely to leave wide powers in the hands of

those governments. And by placing the Constitution above both the National and the State governments, it has referred the arbitrament of disputes between them to an independent body, charged with the interpretation of the Constitution, a body which is to be deemed not so much a third authority in the government as the living voice of the Constitution, the unfolder of the mind of the people whose will stands expressed in that supreme instrument.

The application of these two principles, unknown to, or at any rate little used by, any previous federation,° has contributed more than anything else to the stability of the American system, and to the reverence which its citizens feel for it, a reverence which is the best security for its permanence. Yet even these devices would not have succeeded but for the presence of a mass of moral and material influences stronger than any political devices, which have maintained the equilibrium of centrifugal and centripetal forces. On the one hand there has been the love of local independence and self-government; on the other, the sense of community in blood, in language, in habits and ideas, a common pride in the national history and the national flag.

Quid leges sine moribus°*?* The student of institutions as well as the lawyer, is apt to overrate the effect of mechanical contrivances in politics. I admit that in America they have had one excellent result; they have formed a legal habit in the mind of the nation. But the true value of a political contrivance resides not in its ingenuity but in its adaptation to the temper and circumstances of the people for whom it is designed, in its power of using, fostering, and giving a legal form to

those forces of sentiment and interest which it finds in being. So it has been with the American system. Just as the passions which the question of slavery evoked strained the Federal fabric, disclosing unforeseen weaknesses, so the love of the Union, the sense of the material and social benefits involved in its preservation, appeared in unexpected strength, and manned with zealous defenders the ramparts of the sovereign Constitution. It is this need of determining the suitability of the machinery for the workmen and its probable influence upon them, as well as the capacity of the workmen for using and their willingness to use the machinery, which makes it so difficult to predict the operation of a political contrivance, or, when it has succeeded in one country, to advise its imitation in another. The growing strength of the National government in the United States is largely due to sentimental forces that were weak a century ago, and to a development of internal communications which was then undreamt of. And the devices which we admire in the Constitution might have proved unworkable among a people less patriotic and self-reliant, less law-loving and law-abiding, than were the English of America.

Supplementary Note to Edition of 1910

Though I have made such corrections in the foregoing chapters as are needed to bring the statements made in them up to the present time, it is proper to note here in a concise way certain general tendencies which have affected, and may hereafter more largely affect, the working of the Federal system.

The growth of population, the extension of communications and their larger use both for commerce and for the goings to and fro of the inhabitants, as well as the emergence of new ideas and new needs, have brought about many changes. Three deserve to be singled out as of special importance. (1) The importance of the things which the National Government does, has tended to increase as compared with the things which the States do. (2) Uniformity of regulation over the country has become more needful. (3) In the matters which are regulated partly by the National Government and partly by the States, the inconvenience arising from a division and intermingling of powers has become more evident and more serious.

(1) The army and the navy are larger and more costly than they were; and excite more attention. Questions of tariff more and more affect industry and trade. There is more interest, though perhaps not yet as much as there ought to be, in the conservation of natural resources, including the development of internal waterways, and the control and distribution of water power.

(2) The evils arising from the backwardness of some States, and the boldness or levity of some others, in legislating upon such subjects as child labour, sanitation, divorce, the prevention of accidents in mining and other industries, seem more evident, not because things are any worse than they were, for they are in most respects better, but because the spirit of reform and the humanitarian sympathy which seeks to amend the ills of life have become more active. For instance it is now held regrettable that temptations should be offered to capitalists to establish factories in States where the law

gives deficient protection to children or makes the requirements of health and safety less stringent. In those fields of action wherein neither Congress nor the States enjoy complete authority, the want of a power to deal with the whole of a subject makes legislation halting and imperfect.

(3) The regulation of railroads, as respects both their methods of operation and their rates, by one law and one administrative authority seems needed not only in the interest of traders and passengers but in that of the employees, and indeed of the railroad owners themselves, who are harassed by the varying (and sometimes vexatious) legislation of different States superadded to the legislation of Congress controlling interstate commerce. Whether all railroads should be subjected to Federal legislation, or whether such legislation should be extended only to cover the whole working of railroads doing extra-state business or operating in more than one State, is a further question as to which opinion is divided. There has grown up strong demand for the suppression of all monopolies by general measures. There is a desire to see more control and a uniform control exerted by national law over large industrial and trading corporations. All these convergent wishes and demands represent a tendency which has not as yet found in Federal law and Federal administration a concrete expression proportionate to its strength. The mind of the nation is now awake to these needs and desires, but it is reluctant to depart from the existing boundaries of Federal action and State action. Thus it continues to wrestle with the problem, the difficulties of which lie not merely in the solution to be attained but in the manner of attain-

ing the solution, because there are objections to both the courses which might have to be taken, the course of amending the Constitution and the course of encouraging the Federal courts to effect by interpretation alterations so large as are desired. No one desires to weaken confidence in the fundamental instrument.

Whatever changes may come, and whether they come sooner or later, it is clear that the nation feels itself more than ever before to be one for all commercial and social purposes, every part of it more interlaced with and dependent on all the other parts than at any previous epoch of its history. This feeling, due to influences which have been steadily gaining ground, cannot but have its effect upon political institutions. It does not necessarily portend any menace to the States. Every one feels that they are necessary and must be maintained. But it presages some further extensions of Federal authority.

One new fact which was expected to exalt the majesty and strengthen the power of the National Government has so far made little if any difference — I mean the acquisition of transmarine possessions° and particularly of the Philippine Islands,° which are immediately dependent upon that Government, and bring it into relation with new foreign problems. These conquests are too relatively small and too distant to occupy the thoughts of the people. The lustre of the National Government has not been visibly enhanced by its control of the new possessions, and still less has its character as a constitutional government suffered from the fact that it exercises a larger sway than is permitted to it at home. It is not through the so-called "imperial posi-

tion" which the Government of the United States now holds, nor through the place it has assumed as a world power, but rather through the internal causes above referred to, that the forces which make for the unification of the country seem to be working. Yet in one respect the war with Spain° did contribute to the strengthening of a sentiment of unity, for it obliterated the relics of sectional antagonism which had lingered on from the days of the Civil War. Soldiers from the North and soldiers from the South fought side by side in Cuba under one flag.

THE RULE OF PUBLIC OPINION

THE NATURE OF PUBLIC OPINION[1]

In no country is public opinion so powerful as in the United States: in no country can it be so well studied. Before I proceed to describe how it works upon the government of the nation and the States, it may be proper to consider briefly how it is formed, and what is the nature of the influence which it everywhere exercises upon government.

What do we mean by public opinion? The difficulties which occur in discussing its action mostly arise from confounding opinion itself with the organs whence people try to gather it, and from using the term to denote, sometimes everybody's views, — that is, the aggregate of all that is thought and said on a subject, — sometimes merely the views of the majority, the particular type of thought and speech which prevails over other types.

The simplest form in which public opinion presents itself is when a sentiment spontaneously rises in the mind and flows from the lips of the average man upon his seeing or hearing something done or said. Homer° presents this with his usual vivid directness in the line which frequently recurs in the Iliad when the effect produced by a speech or event is to be conveyed: "And

[1] *The American Commonwealth*, Chapter LXXVI.

thus any one was saying as he looked at his neighbour." This phrase describes what may be called the rudimentary stage of opinion. It is the prevalent impression of the moment. It is what any man (not every man) says, *i.e.* it is the natural and the general thought or wish which an occurrence evokes. But before opinion begins to tell upon government, it has to go through several other stages. These stages are various in different ages and countries. Let us try to note what they are in England or America at the present time, and how each stage grows out of the other.

A business man reads in his newspaper at breakfast the events of the preceding day. He reads that Prince Bismarck° has announced a policy of protection for German industry, or that Mr. Henry George° has been nominated for the mayoralty of New York. These statements arouse in his mind sentiments of approval or disapproval, which may be strong or weak according to his previous predilection for or against protection or Mr. Henry George, and of course according to his personal interest in the matter. They rouse also an expectation of certain consequences likely to follow. Neither the sentiment nor the expectation is based on processes of conscious reasoning — our business man has not time to reason at breakfast — they are merely impressions formed on the spur of the moment. He turns to the leading article in the newspaper, and his sentiments and expectation are confirmed or weakened according as he finds that they are or are not shared by the newspaper writer. He goes down to his office in the train, talks there to two or three acquaintances, and perceives that they agree or do not agree with his own

still faint impressions. In his business office he finds his partner and a bundle of other newspapers which he glances at; their words further affect him, and thus by the afternoon his mind is beginning to settle down into a definite view, which approves or condemns Prince Bismarck's declaration or the nomination of Mr. George. Meanwhile a similar process has been going on in the minds of others, and particularly of the journalists, whose business it is to discover what people are thinking. The evening paper has collected the opinions of the morning papers, and is rather more positive in its forecast of results. Next day the leading journals have articles still more definite and positive in approval or condemnation and in prediction of consequences to follow; and the opinion of ordinary minds, hitherto fluid and undetermined, has begun to crystallize into a solid mass. This is the second stage. Then debate and controversy begin. The men and the newspapers who approve Mr. George's nomination argue with those who do not; they find out who are friends and who opponents. The effect of controversy is to drive the partisans on either side from some of their arguments, which are shown to be weak; to confirm them in others which they think strong; and to make them take up a definite position on one side. This is the third stage. The fourth is reached when action becomes necessary. When a citizen has to give a vote, he votes as a member of a party, his party prepossessions and party allegiance lay hold on him, and generally stifle any doubts or repulsions he may feel. Bringing men up to the polls is like passing a steam roller over stones newly laid on a road: the angularities are pressed down, and an appear-

ance of smooth and even uniformity is given which did not exist before. When a man has voted, he is committed: he has thereafter an interest in backing the view which he has sought to make prevail. Moreover, opinion, which may have been manifold till the polling, is thereafter generally twofold only. There is a view which has triumphed and a view which has been vanquished.

In examining the process by which opinion is formed, we cannot fail to note how small a part of the view which the average man entertains when he goes to vote is really of his own making. His original impression was faint and perhaps shapeless: its present definiteness and strength are mainly due to what he has heard and read. He has been told what to think, and why to think it. Arguments have been supplied to him from without, and controversy has embedded them in his mind. Although he supposes his view to be his own, he holds it rather because his acquaintances, his newspapers, his party leaders all hold it. His acquaintances do the like. Each man believes and repeats certain phrases, because he thinks that everybody else on his own side believes them, and of what each believes only a small part is his own original impression, the far larger part being the result of the commingling and mutual action and reaction of the impressions of a multitude of individuals, in which the element of pure personal conviction, based on individual thinking, is but small.

Every one is of course predisposed to see things in some one particular light by his previous education, habits of mind, accepted dogmas, religious or social affinities, notions of his own personal interest. No

event, no speech or article, ever falls upon a perfectly virgin soil: the reader or listener is always more or less biassed already. When some important event happens, which calls for the formation of a view, these pre-existing habits, dogmas, affinities, help to determine the impression which each man experiences, and so far are factors in the view he forms. But they operate chiefly in determining the first impression, and they operate over many minds at once. They do not produce variety and independence: they are soon overlaid by the influences which each man derives from his fellows, from his leaders, from the press.

Orthodox democratic theory assumes that every citizen has, or ought to have, thought out for himself certain opinions, *i.e.* ought to have a definite view, defensible by arguments, of what the country needs, of what principles ought to be applied in governing it, of the men to whose hands the government ought to be entrusted. There are persons who talk, though certainly very few who act, as if they believed this theory, which may be compared to the theory of some ultra-Protestants that every good Christian has, or ought to have, by the strength of his own reason, worked out for himself from the Bible a system of theology. But one need only try the experiment of talking to that representative of public opinion whom the Americans call "the man in the cars," to realize how uniform opinion is among all classes of people, how little there is in the ideas of each individual of that individuality which they would have if he had formed them for himself, how little solidity and substance there is in the political or social beliefs of nineteen persons out of every twenty. These

beliefs, when examined, mostly resolve themselves into two or three prejudices and aversions, two or three prepossessions for a particular leader or party or section of a party, two or three phrases or catchwords suggesting or embodying arguments which the man who repeats them has not analyzed. It is not that these nineteen persons are incapable of appreciating good arguments, or are unwilling to receive them. On the contrary, and this is especially true of the working classes, an audience is pleased when solid arguments are addressed to it, and men read with most relish the articles or leaflets, supposing them to be smartly written, which contain the most carefully sifted facts and the most exact thought. But to the great mass of mankind in all places, public questions come in the third or fourth rank among the interests of life, and obtain less than a third or a fourth of the leisure available for thinking. It is therefore rather sentiment than thought that the mass can contribute, a sentiment grounded on a few broad considerations and simple trains of reasoning; and the soundness and elevation of their sentiment will have more to do with their taking their stand on the side of justice, honour, and peace, than any reasoning they can apply to the sifting of the multifarious facts thrown before them, and to the drawing of the legitimate inferences therefrom.

It may be suggested that this analysis, if true of the half-educated, is not true of the educated classes. It is less true of that small class which in Europe specially occupies itself with politics; which, whether it reasons well or ill, does no doubt reason. But it is substantially no less applicable to the commercial and professional

classes than to the working classes; for in the former, as well as in the latter, one finds few persons who take the pains, or have the leisure, or indeed possess the knowledge, to enable them to form an independent judgment. The chief difference between the so-called upper, or wealthier, and the humbler strata of society is, that the former are less influenced by sentiment and possibly more influenced by notions, often erroneous, of their own interest. Having something to lose, they imagine dangers to their property or their class ascendency. Moving in a more artificial society, their sympathies are less readily excited, and they more frequently indulge the tendency to cynicism natural to those who lead a life full of unreality and conventionalisms.

The apparent paradox that where the humbler classes have differed in opinion from the higher, they have often been proved by the event to have been right and their so-called betters wrong (a fact sufficiently illustrated by the experience of many European countries° during the last half-century), may perhaps be explained by considering that the historical and scientific data on which the solution of a difficult political problem depends are really just as little known to the wealthy as to the poor. Ordinary education, even the sort of education which is represented by a university degree, does not fit a man to handle these questions, and it sometimes fills him with a vain conceit of his own competence which closes his mind to argument and to the accumulating evidence of facts. Education ought, no doubt, to enlighten a man; but the educated classes, speaking generally, are the property-holding classes, and the possession of property does more to make a man timid than education does to

make him hopeful. He is apt to underrate the power as well as the worth of sentiment; he overvalues the restraints which existing institutions impose; he has a faint appreciation of the curative power of freedom, and of the tendency which brings things right when men have been left to their own devices, and have learnt from failure how to attain success. In the less-educated man a certain simplicity and openness of mind go some way to compensate for the lack of knowledge. He is more apt to be influenced by the authority of leaders; but as, at least in England and America, he is generally shrewd enough to discern between a great man and a demagogue, this is more a gain than a loss.

While suggesting these as explanations of the paradox, I admit that it remains a paradox. But the paradox is not in the statement, but in the facts. Nearly all great political and social causes have made their way first among the middle or humbler classes. The original impulse which has set the cause in motion, the inspiring ideas that have drawn men to it, have come from lofty and piercing minds, and minds generally belonging to the cultivated class. But the principles and precepts these minds have delivered have waxed strong because the common people received them gladly, while the wealthy and educated classes have frowned on or persecuted them. The most striking instance of all is to be found in the early history of Christianity.

The analysis, however, which I have sought to give of opinion applies only to the nineteen men out of twenty, and not to the twentieth. It applies to what may be called passive opinion — the opinion of those who have no special interest in politics, or concern with them be-

yond that of voting, of those who receive or propagate, but do not originate, views on public matters. Or, to put the same thing in different words, we have been considering how public opinion grows and spreads, as it were, spontaneously and naturally. But opinion does not merely grow; it is also made. There is not merely the passive class of persons; there is the active class, who occupy themselves primarily with public affairs, who aspire to create and lead opinion. The processes which these guides follow are too well known to need description. There are, however, one or two points which must be noted, in order to appreciate the reflex action of the passive upon the active class.

The man who tries to lead public opinion, be he statesman, journalist, or lecturer, finds in himself, when he has to form a judgment upon any current event, a larger measure of individual prepossession, and of what may be called political theory and doctrine, than belongs to the average citizen. His view is therefore likely to have more individuality, as well as more intellectual value. On the other hand, he has also a stronger motive than the average citizen for keeping in agreement with his friends and his party, because if he stands aloof and advocates a view of his own, he may lose his influence and his position. He has a past, and is prevented, by the fear of seeming inconsistent, from departing from what he has previously said. He has a future, and dreads to injure it by severing himself ever so little from his party. He is accordingly driven to make the same sort of compromise between his individual tendencies and the general tendency which the average citizen makes. But he makes it more consciously, realizing far more distinctly

the difference between what he would think, say, and do, if left to himself, and what he says and does as a politician, who can be useful and prosperous only as a member of a body of persons acting together and professing to think alike.

Accordingly, though the largest part of the work of forming opinion is done by these men, — whom I do not call professional politicians, because in Europe many of them are not solely occupied with politics, while in America the name of professionals must be reserved for another class, — we must not forget the reaction constantly exercised upon them by the passive majority. Sometimes a leading statesman or journalist takes a line to which he finds that the mass of those who usually agree with him are not responsive. He perceives that they will not follow him, and that he must choose between isolation and a modification of his own views. A statesman may sometimes venture on the former course, and in very rare cases succeed in imposing his own will and judgment on his party. A journalist, however, is obliged to hark back if he has inadvertently taken up a position disagreeable to his *clientèle*,° because the proprietors of the paper have their circulation to consider. To avoid so disagreeable a choice, a statesman or a journalist is usually on the alert to sound the general opinion before he commits himself on a new issue. He tries to feel the pulse of the mass of average citizens; and as the mass, on the other hand, look to him for initiative, this is a delicate process. In European countries it is generally the view of the leaders which prevails, but it is modified by the reception which the mass give it; it becomes accentuated in the points which they appreciate;

while those parts of it, or those ways of stating it, which have failed to find popular favour, fall back into the shade.

This mutual action and reaction of the makers or leaders of opinion upon the mass, and of the mass upon them, is the most curious part of the whole process by which opinion is produced. It is also that part in which there is the greatest difference between one free country and another. In some countries, the leaders count for, say, three-fourths of the product, and the mass for one-fourth only. In others these proportions are reversed. In some countries the mass of the voters are not only markedly inferior in education to the few who lead, but also diffident, more disposed to look up to their betters. In others the difference of intellectual level between those who busy themselves with politics and the average voter is far smaller. Perhaps the leader is not so well instructed a man as in the countries first referred to; perhaps the average voter is better instructed and more self-confident. Where both of these phenomena coincide, so that the difference of level is inconsiderable, public opinion will evidently be a different thing from what it is in countries where, though the Constitution has become democratic, the habits of the nations are still aristocratic. This is the difference between America and the countries of Western Europe.

GOVERNMENT BY PUBLIC OPINION[1]

We talk of public opinion as a new force in the world, conspicuous only since governments began to be popular. Statesmen, even so lately as two generations ago, looked on it with some distrust or dislike. Sir Robert Peel,° for instance, in a letter written in 1820, speaks, with the air of a discoverer, of "that great compound of folly, weakness, prejudice, wrong feeling, right feeling, obstinacy, and newspaper paragraphs, which is called public opinion."

Yet opinion has really been the chief and ultimate power in nearly all nations at nearly all times. I do not mean merely the opinion of the class to which the rulers belong. Obviously the small oligarchy of Venice° was influenced by the opinion of the Venetian nobility, as an absolute Czar° is influenced by the opinion of his court and his army. I mean the opinion, unspoken, unconscious, but not the less real and potent, of the masses of the people. Governments have always rested and, special cases apart, must rest, if not on the affection, then on the reverence or awe, if not on the active approval, then on the silent acquiescence, of the numerical majority. It is only by rare exception that a monarch or an oligarchy has maintained authority against the will of the people. The despotisms of the East, although they usually began in conquest, did not stand by military force but by popular assent. So did

[1] *The American Commonwealth*, Chapter LXXVI.

the feudal kingdoms of mediæval Europe. So do the monarchies of the Sultan° (so far, at least, as regards his Mussulman° subjects), of the Shah,° and of the Chinese Emperor. The cases to the contrary are chiefly those of military tyrannies, such as existed in many of the Greek cities of antiquity, and in some of the Italian cities of the Renaissance,° and such as exist now in some of the so-called republics of Central and South America. That even the Roman Empire, that eldest child of war and conquest, did not rest on force but on the consent and good-will of its subjects, is shown by the smallness of its standing armies, nearly the whole of which were employed against frontier enemies, because there was rarely any internal revolt or disturbance to be feared. Belief in authority, and the love of established order, are among the strongest forces in human nature, and therefore in politics. The first supports governments *de jure*,° the latter governments *de facto*.° They combine to support a government which is *de jure* as well as *de facto*. Where the subjects are displeased, their discontent may appear perhaps in the epigrams which tempered the despotism of Louis XV.° in France, perhaps in the sympathy given to bandits like Robin Hood,° perhaps in occasional insurrections like those of Constantinople° under the Eastern Emperors. Of course, where there is no habit of combining to resist, discontent may remain for some time without this third means of expressing itself. But, even when the occupant of the throne is unpopular, the throne as an institution is in no danger so long as it can command the respect of the multitude and show itself equal to its duties.

In the earlier or simpler forms of political society public opinion is passive. It acquiesces in, rather than supports, the authority which exists, whatever its faults, because it knows of nothing better, because it sees no way to improvement, probably also because it is overawed by some kind of religious sanction. Human nature must have something to reverence, and the sovereign, because remote and potent and surrounded by pomp and splendour, seems to it mysterious and half divine. Worse administrations than those of Asiatic Turkey and Persia in the nineteenth century can hardly be imagined, yet the Mohammedan population showed no signs of disaffection. The subjects of Darius° and the subjects of Theebaw° obeyed as a matter of course. They did not ask why they obeyed, for the habit of obedience was sufficient. They could, however, if disaffected, have at any moment overturned the throne, which had only, in both cases, an insignificant force of guards to protect it. During long ages the human mind did not ask itself — in many parts of the world does not even now ask itself — questions which seem to us the most obvious. Custom, as Pindar° said, is king over all mortals and immortals, and custom prescribed obedience. When in any society opinion becomes self-conscious, when it begins to realize its force and question the rights of its rulers, that society is already progressing, and soon finds means of organizing resistance and compelling reform.

The difference, therefore, between despotically governed and free countries does not consist in the fact that the latter are ruled by opinion and the former by force, for both are generally ruled by opinion. It con-

sists rather in this, that in the former the people instinctively obey a power which they do not know to be really of their own creation, and to stand by their own permission; whereas in the latter the people feel their supremacy, and consciously treat their rulers as their agents, while the rulers obey a power which they admit to have made and to be able to unmake them, — the popular will. In both cases force is seldom necessary, or is needed only against small groups, because the habit of obedience replaces it. Conflicts and revolutions belong to the intermediate stage, when the people are awakening to the sense that they are truly the supreme power in the State, but when the rulers have not yet become aware that their authority is merely delegated. When superstition and the habit of submission have vanished from the whilom° subjects, when the rulers, recognizing that they are no more than agents for the citizens, have in turn formed the habit of obedience, public opinion has become the active and controlling director of a business in which it was before the sleeping and generally forgotten partner. But even when this stage has been reached, as has now happened in most civilized States, there are differences in the degree and mode in and by which public opinion asserts itself. In some countries the habit of obeying rulers and officials is so strong that the people, once they have chosen the legislature or executive head by whom the officials are appointed, allow these officials almost as wide a range of authority as in the old days of despotism. Such people have a profound respect for government as government, and a reluctance, due either to theory or to mere laziness, perhaps to both, to interfere with its

action. They say, "That is a matter for the Administration; we have nothing to do with it"; and stand as much aside or submit as humbly as if the government did not spring from their own will. Perhaps they practically leave themselves, as did the Germans of Bismarck's day, in the hands of a venerated monarch or a forceful minister, giving these rulers a free hand so long as their policy moves in accord with the sentiment of the nation, and maintains its glory. Perhaps while frequently changing their ministries, they nevertheless yield to each ministry and to its executive subordinates all over the country, an authority great while it lasts, and largely controlling the action of the individual citizen. This seems to be still true of France. There are other countries in which, though the sphere of government is strictly limited by law, and the private citizen is little inclined to bow before an official, the habit has been to check the ministry chiefly through the legislature, and to review the conduct of both ministry and legislature only at long intervals, when an election of the legislature takes place. This has been, and to some extent is still, the case in Britain. Although the people rule, they rule not directly, but through the House of Commons, which they choose only once in four or five years, and which may, at any given moment, represent rather the past than the present will of the nation.

I make these observations for the sake of indicating another form which the rule of the people may assume. We have distinguished three stages in the evolution of opinion from its unconscious and passive into its conscious and active condition. In the first it acquiesces

in the will of the ruler whom it has been accustomed to obey. In the second conflicts arise between the ruling person or class, backed by those who are still disposed to obedience, on the one hand, and the more independent or progressive spirits on the other; and these conflicts are decided by arms. In the third stage the whilom ruler has submitted, and disputes are referred to the sovereign multitude, whose will is expressed at certain intervals upon slips of paper deposited in boxes, and is carried out by the minister or legislature to whom the popular mandate is entrusted. A fourth stage would be reached, if the will of the majority of the citizens were to become ascertainable at all times, and without the need of its passing through a body of representatives, possibly even without the need of voting machinery at all. In such a state of things the sway of public opinion would have become more complete, because more continuous, than it is in those European countries which, like France, Italy, and Britain, look chiefly to parliaments as exponents of national sentiment. The authority would seem to remain all the while in the mass of the citizens. Popular government would have been pushed so far as almost to dispense with, or at any rate to anticipate, the legal modes in which the majority speaks its will at the polling booths; and this informal but direct control of the multitude would dwarf, if it did not supersede, the importance of those formal but occasional deliverances made at the elections of representatives. To such a condition of things the phrase, "Rule of public opinion," might be most properly applied, for public opinion would not only reign but govern.

The mechanical difficulties, as one may call them, of working such a method of government are obvious. How is the will of the majority to be ascertained except by counting votes? how, without the greatest inconvenience, can votes be frequently taken on all the chief questions that arise? No large country has yet surmounted these inconveniences, though little Switzerland with her *Referendum and Initiative*° has faced and partially dealt with some of them, and some of the American States are treading in the same path. But what I desire to point out is that even where the machinery for weighing or measuring the popular will from week to week or month to month has not been, and is not likely to be, invented, there may nevertheless be a disposition on the part of the rulers, whether ministers or legislators, to act as if it existed; that is to say, to look incessantly for manifestations of current popular opinion, and to shape their course in accordance with their reading of those manifestations. Such a disposition will be accompanied by a constant oversight of public affairs by the mass of the citizens, and by a sense on their part that they are the true governors, and that their agents, executive and legislative, are rather servants than agents. Where this is the attitude of the people on the one hand and of the persons who do the actual work of governing on the other, it may fairly be said that there exists a kind of government materially, if not formally, different from the representative system as it presented itself to European thinkers and statesmen of the last generation. And it is to this kind of government that democratic nations seem to be tending.

The state of things here noted will find illustration in what I have to say in the following chapters regarding opinion in the United States. Meanwhile a few remarks may be hazarded on the rule of public opinion in general.

The excellence of popular government lies not so much in its wisdom — for it is as apt to err as other kinds of government — as in its strength. It has been compared, ever since Sir William Temple,° to a pyramid, the firmest based of all buildings. Nobody can be blamed for obeying it. There is no appeal from its decisions. Once the principle that the will of the majority honestly ascertained must prevail, has soaked into the mind and formed the habits of a nation, that nation acquires not only stability, but immense effective force. It has no need to fear discussion and agitation. It can bend all its resources to the accomplishment of its collective ends. The friction that exists in countries where the laws or institutions handed down from former generations are incompatible with the feelings and wishes of the people has disappeared. A key has been found that will unlock every door.

On the other hand, such a government is exposed to two dangers. One, the smaller one, yet sometimes troublesome, is the difficulty of ascertaining the will of the majority. I do not mean the difficulty of getting all citizens to vote, because it must be taken that those who do not vote leave their will in the hands of those who do, but the difficulty of obtaining by any machinery yet devised a quite honest record of the results of voting. Where the issues are weighty, involving immense interests of individual men or groups of men, the danger

of bribery, of force, and still more of fraud in taking and counting votes, is a serious one. When there is reason to think that ballots have been tampered with, the value of the system is gone; and men are remitted to the old methods of settling their differences.

The other danger is that minorities may not sufficiently assert themselves. Where a majority has erred, the only remedy against the prolongation or repetition of its error is in the continued protests and agitation of the minority, an agitation which ought to be conducted peaceably, by voice and pen, but which must be vehement enough to rouse the people and deliver them from the consequences of their blunders. But the more complete the sway of majorities is, so much the less disposed is a minority to maintain the contest. It loses faith in its cause and in itself, and allows its voice to be silenced by the triumphant cries of its opponents. How are men to acquiesce promptly and loyally in the decision of a majority, and yet to go on arguing against it? how can they be at once submissive and aggressive? That conceit of his own goodness and greatness which intoxicates an absolute monarch besets a sovereign people also, and the slavishness with which his ministers approach an Oriental despot may reappear in the politicians of a Western democracy. The duty, therefore, of a patriotic statesman in a country where public opinion rules, would seem to be rather to resist and correct than to encourage the dominant sentiment. He will not be content with trying to form and mould and lead it, but he will confront it, lecture it, remind it that it is fallible, rouse it out of its self-complacency. Unfortunately, courage and independence are plants

which a soil impregnated with the belief in the wisdom of numbers does not tend to produce: nor is there any art known to statesmen whereby their growth can be fostered.

Experience has, however, suggested plans for lessening the risks incident to the dominance of one particular set of opinions. One plan is for the people themselves to limit their powers, *i.e.* to surround their own action and the action of their agents with restrictions of time and method which compel delay. Another is for them so to parcel out functions among many agents that no single one chosen indiscreetly, or obeying his mandate overzealously, can do much mischief, and that out of the multiplicity of agents differences of view may spring which will catch the attention of the citizens.

The temper and character of a people may supply more valuable safeguards. The country which has worked out for itself a truly free government must have done so in virtue of the vigorous individuality of its children. Such an individuality does not soon yield even to the pressure of democratic conditions. In a nation with a keen moral sense and a capacity for strong emotions, opinion based on a love of what is deemed just or good will resist the multitude when bent on evil: and if there be a great variety of social conditions, of modes of life, of religious beliefs, these will prove centres of resistance to a dominant tendency, like rocks standing up in a river, at which he whom the current sweeps downwards may clutch. Instances might be cited even from countries where the majority has had every source of strength at its command — physical force, tradition, the all but universal persuasions and prej-

udices of the lower as well as of the higher classes — in which small minorities have triumphed, first by startling and then by leavening and convincing the majority. This they have done in virtue of that intensity of belief which is oftenest found in a small sect or group, not because it is small, but because if its belief were not intense it would not venture to hold out at all against the adverse mass. The energy of each individual in the minority makes it in the long run a match for a majority huger but less instinct with vitality. In a free country more especially, ten men who care are a match for a hundred who do not.

Such natural compensations as this occur in the physical as well as in the spiritual and moral world, and preserve both. But they are compensations on which the practical statesman cannot safely rely, for they are partial, they are uncertain, and they probably tend to diminish with the progress of democracy. The longer public opinion has ruled, the more absolute is the authority of the majority likely to become, the less likely are energetic minorities to arise, the more are politicians likely to occupy themselves, not in forming opinion, but in discovering and hastening to obey it.

HOW PUBLIC OPINION RULES IN AMERICA[1]

It was observed in the last chapter that the phrase "government by public opinion" is most specifically applicable to a system wherein the will of the people acts directly and constantly upon its executive and legislative agents. A government may be both free and good without being subject to this continuous and immediate control. Still this is the goal towards which the extension of the suffrage, the more rapid diffusion of news, and the practice of self-government itself necessarily lead free nations; and it may even be said that one of their chief problems is to devise means whereby the national will shall be most fully expressed, most quickly known, most unresistingly and cheerfully obeyed. Delays and jerks are avoided, friction and consequent waste of force are prevented, when the nation itself watches all the play of the machinery and guides its workman by a glance. Towards this goal the Americans have marched with steady steps, unconsciously as well as consciously. No other people now stands so near it.

Of all the experiments which America has made, this is that which best deserves study, for her solution of the problem differs from all previous solutions, and she has shown more boldness in trusting public opinion, in recognizing and giving effect to it, than has yet been shown elsewhere. Towering over Presidents and State

[1] *The American Commonwealth*, Chapter LXXVIII.

governors, over Congress and State legislatures, over conventions and the vast machinery of party, public opinion stands out, in the United States, as the great source of power, the master of servants who tremble before it.

For the sake of making clear what follows, I will venture to recapitulate what was said in an earlier chapter as to the three forms which government has taken in free countries. First came primary assemblies, such as those of the Greek republics of antiquity, or those of the early Teutonic tribes, which have survived in a few Swiss cantons. The whole people met, debated current questions, decided them by its votes, chose those who were to carry out its will. Such a system of direct popular government is possible only in small communities, and in this day of large States has become a matter rather of antiquarian curiosity than of practical moment.

In the second form, power belongs to representative bodies, Parliaments and Chambers. The people in their various local areas elect men, supposed to be their wisest or most influential, to deliberate for them, resolve for them, choose their executive servants for them. They give these representatives a tolerably free hand, leaving them in power for a considerable space of time, and allowing them to act unchecked, except in so far as custom, or possibly some fundamental law, limits their discretion. This is done in the faith that the Chamber will feel its responsibility and act for the best interests of the country, carrying out what it believes to be the wishes of the majority, unless it should be convinced that in some particular point it knows better

than the majority what the interests of the country require. Such a system has long prevailed in England, and the English model has been widely imitated on the continent of Europe and in the British colonies.

The third is something between the other two. It may be regarded either as an attempt to apply the principle of primary assemblies to large countries, or as a modification of the representative system in the direction of direct popular sovereignty. There is still a legislature, but it is elected for so short a time and checked in so many ways that much of its power and dignity has departed. Ultimate authority is not with it, but with the people, who have fixed limits beyond which it cannot go, and who use it merely as a piece of machinery for carrying out their wishes and settling points of detail for them. The supremacy of their will is expressed in the existence of a Constitution placed above the legislature, although capable of alteration by a direct popular vote. The position of the representatives has been altered. They are conceived of, not as wise and strong men chosen to govern, but as delegates under specific orders to be renewed at short intervals.

This is the form established in the United States. Congress sits for two years only. It is strictly limited by the Constitution, and by the coexistence of the State governments, which the Constitution protects. It has (except by way of impeachment) no control over the Federal executive, which is directly named by and responsible to the people. So, too, the State legislatures sit for short periods, do not appoint the State executives, are hedged in by the prohibitions of the State constitutions. The people frequently legislate directly by

enacting or altering a constitution. The principle of popular sovereignty could hardly be expressed more unmistakably. Allowing for the differences to which the vast size of the country gives rise, the mass of the citizens may be deemed as directly the supreme power as the Assembly° was at Athens° or Syracuse.° The only check on the mass is that which they have themselves imposed, and which the ancient democracies did not possess, the difficulty of changing a rigid constitution. And this difficulty is serious only as regards the Federal Constitution.

As this is the most developed form of popular government, so is it also the form which most naturally produces what I have called Government by Public Opinion. Popular government may be said to exist wherever all power is lodged in and issues from the people. Government by public opinion exists where the wishes and views of the people prevail, even before they have been conveyed through the regular law-appointed organs, and without the need of their being so conveyed. As in a limited monarchy the king, however powerful, must act through certain officers and in a defined legal way, whereas in a despotism he may act just as he pleases, and his initial written on a scrap of paper is as sure of obedience as his full name signed to a parchment authenticated by the Great Seal or the counter-signature of a minister, so where the power of the people is absolute, legislators and administrators are quick to catch its wishes in whatever way they may be indicated, and do not care to wait for the methods which the law prescribes. This happens in America. Opinion rules more fully, more directly, than under the second of the systems described above.

A consideration of the nature of the State governments, as of the National government, will show that legal theory as well as popular self-confidence gives birth to this rule of opinion. Supreme power resides in the whole mass of citizens. They have prescribed, in the strict terms of a legal document, the form of government. They alone have the right to change it, and that only in a particular way. They have committed only a part of their sovereignty to their executive and legislative agents, reserving the rest to themselves. Hence their will, or, in other words, public opinion, is constantly felt by these agents to be, legally as well as practically, the controlling authority. In England, Parliament is the nation, not merely by a legal fiction, but because the nation looks to Parliament only, having neither reserved any authority to itself nor bestowed any elsewhere. In America, Congress is not the nation, and does not claim to be so.

The ordinary functions and business of government, the making of laws, the imposing of taxes, the interpretation of laws and their execution, the administration of justice, the conduct of foreign relations, are parcelled out among a number of bodies and persons whose powers are so carefully balanced and touch at so many points that there is a constant risk of conflicts, even of deadlocks. Some of the difficulties thence arising are dealt with by the Courts, as questions of the interpretation of the Constitution. But in many cases the intervention of the courts, which can act only in a suit between parties, comes too late to deal with the matter, which may be an urgent one; and in some cases there is nothing for the courts to decide, because each of the conflicting

powers is within its legal right. The Senate, for instance, may refuse the measure which the House thinks necessary. The President may veto bills passed by both Houses, and there may not be a two-thirds majority to pass them over his veto. Congress may urge the President to take a certain course, and the President may refuse. The President may propose a treaty to the Senate, and the Senate may reject it. In such cases there is a stoppage of governmental action which may involve loss to the country. The master, however, is at hand to settle the quarrels of his servants. If the question be a grave one, and the mind of the country clear upon it, public opinion throws its weight into one or other scale, and its weight is decisive. Should opinion be nearly balanced, it is no doubt difficult to ascertain, till the next election arrives, which of many discordant cries is really the prevailing voice. This difficulty must, in a large country, where frequent plebiscites are impossible, be endured; and it may be well, when the preponderance of opinion is not great, that serious decisions should not be quickly taken. The general truth remains that a system of government by checks and balances specially needs the presence of an arbiter to incline the scale in favour of one or other of the balanced authorities, and that public opinion must therefore be more frequently invoked and more constantly active in America than in other countries.

Those who invented this machinery of checks and balances were anxious not so much to develop public opinion as to resist and build up breakwaters against it. No men were less revolutionary in spirit than the founders of the American Constitution. They had made a

revolution in the name of Magna Charta and the Bill of Rights°: they were penetrated by a sense of the dangers incident to democracy. They conceived of popular opinion as aggressive, unreasoning, passionate, futile, and a breeder of mob violence. We shall presently inquire whether this conception has been verified. Meantime be it noted that the efforts made in 1787 to divide authority and, so to speak, force the current of the popular will into many small channels instead of permitting it to rush down one broad bed, have really tended to exalt public opinion above the regular legally appointed organs of government. Each of these organs is too small to form opinion, too narrow to express it, too weak to give effect to it. It grows up not in Congress, not in State legislatures, not in those great conventions which frame platforms and choose candidates, but at large among the people. It is expressed in voices everywhere. It rules as a pervading and impalpable power, like the ether which passes through all things. It binds all the parts of the complicated system together, and gives them whatever unity of aim and action they possess.

There is also another reason why the opinion of the whole nation is a more important factor in the government of the United States than anywhere in Europe. In Europe there has always been a governing class, a set of persons whom birth, or wealth, or education has raised above their fellows, and to whom has been left the making of public opinion together with the conduct of administration and the occupancy of places in the legislature. The public opinion of Germany, Italy, France, and England has been substantially the opinion

of the class which wears black coats and lives in good houses, though in the two latter countries it has of late years been increasingly affected by the opinion of the classes socially lower. Although the members of the British Parliament now obey the mass of their constituents when the latter express a distinct wish, still the influence which plays most steadily on them and permeates them is the opinion of a class or classes, and not of the whole nation. The class to which the great majority of members of both Houses belong (*i.e.* the landowners and the persons occupied in professions and in the higher walks of commerce) is the class which chiefly forms and expresses what is called public opinion. Even in these days of vigilant and exacting constituencies one sees many members of the House of Commons the democratic robustness or provincial crudity of whose ideas melts like wax under the influence of fashionable dinner-parties and club smoking-rooms. Until a number of members entered the House who claimed to be the authorized representatives of the views of working men, the complaint used to be heard that it was hard to "keep touch" with the opinion of the masses.

In the United States public opinion is the opinion of the whole nation, with little distinction of social classes. The politicians, including the members of Congress and of State legislatures, are, perhaps not (as Americans sometimes insinuate) below, yet certainly little above the average level of their constituents. They find no difficulty in keeping touch with outside opinion. Washington or Albany may corrupt them, but not in the way of modifying their political ideas. They do not aspire to the function of forming opinion. They are like the

Eastern slave who says "I hear and obey." Nor is there any one class or set of men, or any one "social layer," which more than another originates ideas and builds up political doctrine for the mass. The opinion of the nation is the resultant of the views, not of a number of classes, but of a multitude of individuals, diverse, no doubt, from one another, but, for the purposes of politics far less diverse than if they were members of groups defined by social rank or by property.

The consequences are noteworthy. Statesmen cannot, as in Europe, declare any sentiment which they find telling on their friends or their antagonists to be confined to the rich, or to the governing class, and to be opposed to the general sentiment of the people. In America you cannot appeal from the classes to the masses. What the employer thinks, his workmen think.° What the wholesale merchant feels, the retail storekeeper feels, and the poorer customers feel. Divisions of opinion are vertical and not horizontal. Obviously this makes opinion more easily ascertained, while increasing its force as a governing power, and gives to the whole people, without distinction of classes, a clearer and fuller consciousness of being the rulers of their country, than European peoples have. Every man knows that he is himself a part of the government, bound by duty as well as by self-interest to devote part of his time and thoughts to it. He may neglect his duty, but he admits it to be a duty. So the system of party organizations already described is built upon this theory; and as this system is more recent, and is the work of practical politicians, it is even better evidence of the general acceptance of the doctrine than are the pro-

visions of Constitutions. Compare European countries, or compare the other States of the New World. In the so-called republics of Central and South America a small section of the inhabitants pursue politics, while the rest follow their ordinary avocations, indifferent to elections and pronunciamentos and revolutions. In Germany, and in the German and Slavonic parts of the Austro-Hungarian monarchy, people think of the government as a great machine which will go on, whether they put their hand to it or not, a few persons working it, and all the rest paying and looking on. The same thing is largely true of republican France, and of semi-republican Italy, where free government is still a novelty, and local self-government in its infancy. Even in England, though the eighty years that have passed since the great Reform Act° have brought many new ideas with them, the ordinary voter is still far from feeling, as the American does, that the government is his own, and he individually responsible for its conduct.

ORGANS OF PUBLIC OPINION[1]

How does this vague, fluctuating, complex thing we call public opinion — omnipotent yet indeterminate, a sovereign to whose voice every one listens, yet whose words, because he speaks with as many tongues as the waves of a boisterous sea, it is so hard to catch — how does public opinion express itself in America? By what organs is it declared, and how, since these organs often contradict one another, can it be discovered which of them speak most truly for the mass? The more completely popular sovereignty prevails in a country, so much the more important is it that the organs of opinion should be adequate to its expression, prompt, full, and unmistakable in their utterances. And in such European countries as England and France, it is now felt that the most successful party leader is he who can best divine from these organs what the decision of the people will be when a direct appeal is made to them at an election.

I have already observed that in America public opinion is a power not satisfied with choosing executive and legislative agents at certain intervals, but continuously watching and guiding those agents, who look to it, not merely for a vote of approval when the next general election arrives, but also for directions which they are eager to obey, so soon as they have learnt their meaning.

[1] *The American Commonwealth*, Chapter LXXIX.

The efficiency of the organs of opinion is therefore more essential to the government of the United States than even to England or to France.

An organ of public opinion is, however, not merely the expression of views and tendencies already in existence, but a factor in further developing and moulding the judgment of the people. Opinion makes opinion. Men follow in the path which they see others treading: they hasten to adopt the view that seems likely to prevail. Hence every weighty voice, be it that of a speaker, or an association, or a public meeting, or a newspaper, is at once the disclosure of an existing force and a further force influencing others. This fact, while it multiplies the organs through which opinion is expressed, increases the difficulty of using them aright, because every voice seeks to represent itself as that of the greater, or at least of a growing number.

The press, and particularly the newspaper press, stands by common consent first among the organs of opinion. Yet few things are harder than to estimate its power, and state precisely in what that power consists.

Newspapers are influential in three ways — as narrators, as advocates, and as weathercocks. They report events, they advance arguments, they indicate by their attitude what those who conduct them and are interested in their circulation take to be the prevailing opinion of their readers. In the first of these regards the American press is the most active in the world. Nothing escapes it which can attract any class of readers. It does not even confine itself to events that have happened, but is apt to describe others which may

possibly have happened, however slight the evidence for them: *pariter facta atque infecta canebat.*° This habit affects its worth as an historic record and its influence with sober-minded people. Statesmen may be heard to complain that once an untrue story has been set flying they cannot efface the effect however complete the contradiction they may give it; and injustice is thus frequently done. Sometimes, of course, there is deliberate misrepresentation. But more often the erroneous statements are the natural result of the high pressure under which the newspaper business is carried on. The appetite for news, and for highly spiced or "sensation" news, is enormous, and journalists working under keen competition and in unceasing haste take their chance of the correctness of the information they receive.

Much harm there is, but sometimes good also. It is related of an old barrister that he observed: "When I was young I lost a good many causes which I ought to have won, and now, that I have grown old and experienced, I win a good many causes which I ought to lose. So, on the whole, justice has been done." If in its heedlessness the press often causes pain to the innocent, it does a great and necessary service in exposing evil-doers, many of whom would escape were it never to speak except upon sufficient evidence. It is a watch-dog whose noisy bark must be tolerated, even when the person who approaches has no bad intent. No doubt charges are so promiscuously and often so lightly made as to tell less than they would in a country where the law of libel was more frequently appealed to. But many abuses are unveiled, many more prevented by the fear of publicity.

Although the leading American newspapers contain far more non-political matter than those of Europe, they also contain, especially, of course, before any important election, more domestic political intelligence than any, except perhaps two or three, of the chief English journals. Much of it is inaccurate, but partizanship distorts it no more than in Europe, perhaps less. The public has the benefit of hearing everything it can wish, and more than it ought to wish, to know about every occurrence and every personality. The intelligence is not quite of the same kind as in England or France. There are fewer reports of speeches, because fewer speeches of an argumentative nature are made, but more of the schemes and doings of conventions and political cliques, as well as of the sayings of individuals.

As the advocates of political doctrines, newspapers are of course powerful, because they are universally read and often ably written. They are accused of unfairness and vituperation, but I doubt if there is any marked difference in this respect between their behaviour and that of European papers at a time of excitement. Nor could I discover that their arguments were any more frequently than in Europe addressed to prejudice rather than to reason: indeed they are less markedly party organs than are those of Britain. In America, however, a leading article carries less weight of itself, being discounted by the shrewd reader as the sort of thing which the paper must of course be expected to say, and is effective only when it takes hold of some fact (real or supposed), and hammers it into the public mind. This is what the unclean politician has to fear.

Mere abuse he does not care for, but constant references to and comments on misdeeds of which he cannot clear himself tell in the long run against him.

The influence attributed to the press is evidenced not only by the posts (especially foreign legations) frequently bestowed upon the owners or editors of leading journals, but by the current appeals made to good party men to take in only stanch party papers, and by the threats to "read out" of the party journals which show a dangerous independence. Nevertheless, if the party press be estimated as a factor in the formation of opinion, whether by argument or by authority, it must be deemed less powerful in America than in Europe, because its average public is shrewder, more independent, less readily impressed by the mysterious "we." I doubt if there be any paper by which any considerable number of people swear; and am sure that comparatively few quote their favourite journal as an oracle in the way many persons still do in England. The vast area of the republic and the absence of a capital prevent any one paper from winning its way to predominance, even in any particular section of the country. Herein one notes a remarkable contrast to the phenomena of the Old World. Although the chief American newspapers are, regarded as commercial properties, "bigger things" than those of Europe, they do not dominate the whole press as a few journals do in most European countries. Or, to put the same thing differently, in England, and much the same may be said of France and Germany, some twenty newspapers cover nine-tenths of the reading public, whereas in America any given twenty papers would not cover one-third.

In those cities, moreover, where one finds really strong papers, each is exposed to a severer competition than in Europe, for in cities most people look at more than one newspaper. The late Mr. Horace Greeley,° who for many years owned and edited the *New York Tribune*, is the most notable case of an editor who, by his journalistic talent and great self-confidence, acquired such a personal influence as to make multitudes watch for and follow his deliverances. He was to the later Whig° party and the earlier Republican° party much what Katkoff° was to the National party in Russia between 1870 and 1880, and had, of course, a far greater host of readers.

It is chiefly in its third capacity, as an index and mirror of public opinion, that the press is looked to. This is the function it chiefly aims at discharging; and public men feel that in showing deference to it they are propitiating, and inviting the commands of, public opinion itself. In worshipping the deity you learn to conciliate the priest. But as every possible view and tendency finds expression through some organ in the press, the problem is to discover which views have got popular strength behind them. Professed party journals are of little use, though one may sometimes discover from the way they advance an argument whether they think it will really tell on the opposite party, or use it only because it falls within their own programme. More may therefore be gleaned from the independent or semi-independent journals, whereof there are three classes: papers which, like two or three in the great cities, generally support one party, but are apt to fly off from it when they disapprove its conduct, or think

the people will do so; papers which devote themselves mainly to news, though they may give editorial aid to one or other party according to the particular issue involved, and papers not professedly, or primarily political. Of this last class the most important members are the religious weeklies, to whose number and influence few parallels can be discovered in Europe. They are mostly either neutral or somewhat loosely attached to their party, usually the Republican party, because it began as the Free Soil party,° and includes, in the North, the greater number of serious-minded people. It is only on great ocasions, such as a presidential election, or when some moral issue arises, that they discuss current politics at length. When they do, great is their power, because they are deemed to be less "thirled"° to a party or a leader, because they speak from a moral standpoint, and because they are read on Sunday, a time of leisure, when their seed is more likely to strike root. The other weekly and monthly magazines used to deal less with politics than did the leading English monthlies, but some of them are now largely occupied with political or politico-social topics, and their influence seems to grow with the increasing amount of vigorous writing they contain.

During presidential contests much importance is attributed to the attitude of the leading papers of the great cities, for the revolt of any one from its party — as, for instance, the revolt of several Republican papers during the election of 1884 and that of many Democratic papers in 1896 — indicates discontent and danger. Where a schism exists in a State party, the bosses of one or other section will sometimes try to capture and ma-

nipulate the smaller country papers so as to convey the impression that their faction is gaining ground. Newspapers take more notice of one another, both by quoting from friendly sheets and by attacking hostile ones, than is usual in England, so that any incident or witticism which can tell in a campaign is at once taken up and read in a day or two in every city from Detroit to New Orleans.

The Americans have invented an organ for catching, measuring, and indicating opinion, almost unknown in Europe, in their practice of citing the private deliverances of prominent men. Sometimes this is done by publishing a letter, addressed not to the newspaper but to a friend, who gives it the publicity for which it was designed. Sometimes it is announced how the prominent man is going to vote at the next election. A short paragraph will state that Judge So-and-So, or Dr. Blank, an eminent clergyman, is going to "bolt" the presidential or State ticket of his party; and perhaps the reasons assigned for his conduct follow. Of the same nature, but more elaborate, is the interview, in which the prominent man unbosoms himself to a reporter, giving his view of the political position in a manner less formal and obtrusive, but not less effective than that of a letter to the editor. Sometimes, at the editor's suggestion, or of his own motion, a brisk reporter waits on the leading citizen and invites the expression of his views, which is rarely refused, though, of course, it may be given in a guarded and unsatisfying way. Sometimes the leading citizen himself, when he has a fact on which to comment, or views to communicate, sends for the reporter, who is only too glad

to attend. The plan has many conveniences, among which is the possibility of disavowing any particular phrase as one which has failed to convey the speaker's true meaning. All these devices help the men of eminence to impress their ideas on the public, while they show that there is a part of the public which desires such guidance.

Taking the American press all in all, it seems to serve the expression, and subserve the formation, of public opinion more fully than does the press of any part of the European continent, and not less fully than that of England. Individual newspapers and those who write in them may enjoy less power than is the case in some countries of the Old World; but if this be so, the cause is to be found in the fact that the journals lay themselves out to give news rather than views, that they are less generally bound to a particular party, and that readers are, except at critical moments, less warmly interested in politics than are educated Englishmen, because other topics claim a relatively larger part of their attention. The American press may not be above the moral level of the average good citizen, — in no country does one either expect or find it to be so, — but it is above the level of the Machine politicians° in the cities. In the war waged against these worthies, the bolder and stronger newspapers have on occasion given powerful aid to the cause of reform by dragging corruption to light.

While believing that a complete picture of current opinion can be more easily gathered from American than from English journals, I do not mean to imply that they supply all a politician needs. Any one who

has made it his business to feel the pulse of the public of his own country must be sensible that when he has been travelling abroad for a few weeks, he is sure, no matter how diligently he peruses the leading home papers of all shades, to "lose touch" of the current sentiment of the country in its actuality. The journals seem to convey to him what their writers wish to be believed, and not necessarily what the people are really thinking; and he feels more and more as weeks pass the need of an hour's talk with four or five discerning friends of different types of thought, from whom he will gather how current facts strike and move the minds of his countrymen. Every prudent man keeps a circle of such friends, by whom he can test and correct his own impressions better than by the almost official utterances of the party journals. So in America there is much to be learnt from conversation with judicious observers outside politics and typical representatives of political sections and social classes, which the most diligent study of the press will not give, not to add that it occasionally happens that the press of a particular city may fall, for a time, under potent local influences which prevent it from saying all that ought to be said.

Except during electoral campaigns, public meetings play a smaller part in the political life of the United States than in that of Western Europe. Meetings were, of course, more frequent during the struggle against slavery than they need be in these quieter times, yet the difference between European and American practice cannot be wholly due to the more stirring questions which have latterly roused Europeans. A

meeting in America is usually held for some practical object, such as the selection of candidates or the creation of an organization, less often as a mere demonstration of opinion and means of instruction. When instruction is desired, the habit is to bring down a man of note to give a political lecture, paying him from $75 to $100, or perhaps even $150, nor is it thought unbecoming for senators and ex-senators to accept such fees. The meetings during an election campaign, which are numerous enough, do not always provide argumentative speaking, for those who attend are assumed to be all members of one party, sound already, and needing nothing but an extra dose of enthusiasm; but since first the protective tariff° and thereafter silver and the currency° became leading issues, the proportion of reasoning to declamation has increased. Members of Congress do not deliver such annual discourses to their constituents as it has become the fashion for members of the House of Commons to deliver in England; and have indeed altogether an easier time of it as regards speaking, though a far harder one as regards the getting of places for their constituents. American visitors to England seem surprised and even a little edified when they find how much meetings are made to do there in the way of eliciting and cultivating opinion among the electors. I have often heard them praise the English custom, and express the wish that it prevailed in their own country.

As the ceaseless desire of every public man is to know which way the people are going, and as the polls are the only sure index of opinion, every election, however small, is watched with close attention. Now elec-

tions are in the United States as plentiful as revolutions in Peru.° The vote cast for each party in a city, or State legislature district, or congressional district, or State, at the last previous election, is compared with that now cast, and inferences drawn as to what will happen at the next State or presidential election. Special interest attaches to the State pollings that immediately precede a presidential election, for they not only indicate the momentary temper of the particular voters but tell upon the country generally, affecting that large number who wish to be on the winning side. As happens in the similar case of what are called "by-elections"° to the House of Commons in England, too much weight is generally attributed to these contests, which are sometimes, though less frequently than in England, decided by purely local causes. Such elections, however, give the people opportunities of expressing their displeasure at any recent misconduct chargeable to a party, and sometimes lead the party managers to repent in time and change their course before the graver struggle arrives.

Associations are created, extended, and worked in the United States more quickly and effectively than in any other country. In nothing does the executive talent of the people better shine than in the promptitude wherewith the idea of an organization for a common object is taken up, in the instinctive discipline that makes every one who joins in starting it fall into his place, in the practical, business-like turn which the discussions forthwith take. Thus in 1884, the cattlemen of the further West, finding difficulties in driving their herds from Texas to Wyoming and Montana,

suddenly convoked a great convention in Chicago which presented a plan for the establishment of a broad route from South to North, and resolved on the steps proper for obtaining the necessary legislation. Here, however, we are concerned with associations only as organs for focussing and propagating opinion. The greater ones, such as the temperance societies, ramify over the country and constitute a species of political organization which figures in State and even in presidential contests. Nearly every "cause," philanthropic, economic, or social, has something of the kind. Local associations or committees are often formed in cities to combat the Machine politicians in the interests of municipal reform; while every important election calls into being a number of "campaign clubs," which work while the struggle lasts, and are then dissolved. For these money is soon forthcoming; it is more plentiful than in Europe, and subscribed more readily for political purposes.

Such associations have great importance in the development of opinion, for they rouse attention, excite discussion, formulate principles, submit plans, embolden and stimulate their members, produce that impression of a spreading movement which goes so far towards success with a sympathetic and sensitive people. *Possunt quia posse videntur*° is doubly true in America as regards the spectators as well as the actors, because the appearance of strength gathers recruits as well as puts heart into the original combatants. Unexpected support gathers to every rising cause. If it be true that individuality is too weak in the country, strong and self-reliant statesmen or publicists too few, so much the greater is the value of this habit of forming associa-

tions, for it creates new centres of force and motion, and nourishes young causes and unpopular doctrines into self-confident aggressiveness. But in any case they are useful as indications of the tendencies at work and the forces behind these tendencies. By watching the attendance at the meetings, the language held, the amount of zeal displayed, a careful observer can discover what ideas are getting hold of the popular mind.

One significant difference between the formation and expression of opinion in the United States and in Europe remains to be noted. In England and Wales over half of the population was in 1911 to be found in sixty cities with a population exceeding 50,000. In France opinion is mainly produced in, and policy, except upon a few of the broadest issues, dictated by, the urban population, though its number falls much below that of the rural. In America the cities with a population exceeding 50,000 inhabitants were in 1910 one hundred and nine with an aggregate population of about 24,500,000, little more than 25 per cent of the total population. The number of persons to the square mile was in 1911 618 in England and Wales, and was in the continental United States (1910), 30.9. Hence those influences formative of opinion which city life produces, the presence of political leaders, the influence they personally diffuse, the striking out and testing of ideas in conversation, may tell somewhat less on the American than they do on the English people, crowded together in their little island, and would tell much less but for the stronger social instincts of the Americans and the more general habit of reading daily newspapers.

In endeavouring to gather the tendencies of popular

opinion, the task of an American statesman is in some respects easier than that of his English compeer. As social distinctions count for less in America, the same tendencies are more generally and uniformly diffused through all classes, and it is not necessary to discount so many special points of difference which may affect the result. As social intercourse is easier, and there is less *gêne*° between a person in the higher and one in the humbler ranks, a man can better pick up in conversation the sentiments of his poorer neighbours. Moreover, the number of persons who belong to neither party, or on whom party allegiance sits loosely, is relatively smaller than in England, so the unpredictable vote — the doubtful element which includes those called in England "arm-chair politicians" — does not so much disturb calculations. Nevertheless, the task of discerning changes and predicting consequences is always a difficult one, in which the most skilful observers may err. Public opinion does not tell quite so quickly or quite so directly upon legislative bodies as in England, not that legislators do not wish to know it, but that the interposition of the Machine acts to some extent as a sort of non-conductor. Moreover the country is large, the din of voices is incessant, the parties are in many places nearly balanced. There are frequent small changes from which it would be rash to infer any real movement of opinion, even as he who comes down to the beach must watch many wavelets break in ripples on the sand before he can tell whether the tide be ebbing or flowing.

It may be asked how, if the organs of public opinion give so often an uncertain sound, public opinion can

with truth be said not only to reign but to govern. The answer is that a sovereign is not the less a sovereign because his commands are sometimes misheard or misreported. In America everyone listens for them. Those who manage the affairs of the country obey to the best of their hearing. They do not, as has been heretofore the case in Europe, act on their own view, and ask the people to ratify: they take the course which they believe the people at the moment desire. Leaders do not, as sometimes still happens in England, seek to force or anticipate opinion; or if they do, they suffer for the blunder by provoking a reaction. The people must not be hurried. A statesman is not expected to move ahead of them; he must rather seem to follow, though if he has the courage to tell the people that they are wrong, and refuse to be the instrument of their errors, he will be all the more respected. Those who fail because they mistake eddies and cross currents for the main stream of opinion, fail more often from some personal bias, or from vanity, or from hearkening to a clique of adherents, than from want of materials for observation. A man who can disengage himself from preconceptions, who is in genuine sympathy with his countrymen, and possesses the art of knowing where to look for typical manifestations of their sentiments, will find the organs through which opinion finds expression more adequate as well as more abundant in America than they are in any other country.

NATIONAL CHARACTERISTICS AS MOULDING PUBLIC OPINION[1]

As the public opinion of a people is even more directly than its political institutions the reflection and expression of its character, we may begin the analysis of opinion in America by noting some of those general features of national character which give tone and colour to the people's thoughts and feelings on politics. There are, of course, varieties proper to different classes, and to different parts of the vast territory of the Union; but it is well to consider first such characteristics as belong to the nation as a whole, and afterwards to examine the various classes and districts of the country. And when I speak of the nation, I mean the native Americans. What follows is not applicable to the recent immigrants from Europe, and, of course, even less applicable to the Southern negroes.

The Americans are a good-natured people, kindly, helpful to one another, disposed to take a charitable view even of wrongdoers. Their anger sometimes flames up, but the fire is soon extinct. Nowhere is cruelty more abhorred. Even a mob lynching a horse thief in the West has consideration for the criminal, and will give him a good drink of whiskey before he is strung up. Cruelty to slaves was unusual while slavery lasted, the best proof of which is the quietness of the slaves during

[1] *The American Commonwealth*, Chapter LXXX.

the war when all the men and many of the boys of the South were serving in the Confederate armies. As everybody knows, juries are more lenient to offences of all kinds but one, offences against women, than they are anywhere in Europe. The Southern "rebels" were soon forgiven; and though civil wars are proverbially bitter, there have been few struggles in which the combatants did so many little friendly acts for one another, few in which even the vanquished have so quickly buried their resentments. It is true that newspapers and public speakers say hard things of their opponents; but this is a part of the game, and is besides a way of relieving their feelings: the bark is sometimes the louder in order that a bite may not follow. Vindictiveness shown by a public man excites general disapproval and the maxim of letting bygones be bygones is pushed so far that an offender's misdeeds are often forgotten when they ought to be remembered against him.

All the world knows that they are a humorous people. They are as conspicuously the purveyors of humour to the nineteenth century as the French were the purveyors of wit to the eighteenth. Nor is this sense of the ludicrous side of things confined to a few brilliant writers. It is diffused among the whole people; it colours their ordinary life, and gives to their talk that distinctively new flavour which a European palate enjoys. Their capacity for enjoying a joke against themselves was oddly illustrated at the outset of the Civil War, a time of stern excitement, by the merriment which arose over the hasty retreat of the Federal troops at the battle of Bull Run.° When William M. Tweed° was ruling and robbing New York, and had set on the bench men who

were openly prostituting justice, the citizens found the situation so amusing that they almost forgot to be angry. Much of President Lincoln's popularity, and much also of the gift he showed for restoring confidence to the North at the darkest moments of the war, was due to the humorous way he used to turn things, conveying the impression of not being himself uneasy, even when he was most so.

That indulgent view of mankind which I have already mentioned, a view odd in a people whose ancestors were penetrated with the belief in original sin, is strengthened by this wish to get amusement out of everything. The want of seriousness which it produces may be more apparent than real. Yet it has its significance; for people become affected by the language they use, as we see men grow into cynics when they have acquired the habit of talking cynicism for the sake of effect.

They are a hopeful people. Whether or no they are right in calling themselves a new people, they certainly seem to feel in their veins the bounding pulse of youth. They see a long vista of years stretching out before them, in which they will have time enough to cure all their faults, to overcome all the obstacles that block their path. They look at their enormous territory with its still only half-explored sources of wealth, they reckon up the growth of their population and their products, they contrast the comfort and intelligence of their labouring classes with the condition of the masses in the Old World. They remember the dangers that so long threatened the Union from the slave power, and the rebellion it raised, and see peace and harmony now re-

stored, the South more prosperous and contented than at any previous epoch, perfect good feeling between all sections of the country. It is natural for them to believe in their star. And this sanguine temper makes them tolerant of evils which they regard as transitory, removable as soon as time can be found to root them up.

They have unbounded faith in what they call the People and in a democratic system of government. The great States of the European continent are distracted by the contests of Republicans and Monarchists, and of rich and poor, — contests which go down to the foundations of government, and in France are further embittered by religious passions. Even in England the ancient Constitution° is always under repair, and while some think it is being ruined by changes, others hold that further changes are needed to make it tolerable. No such questions trouble native American minds, for most men believe, and everybody declares, that the frame of government is in its main lines so excellent that such reforms as seem called for need not touch those lines, but are required only to protect the Constitution from being perverted by the parties. Hence a further confidence that the people are sure to decide right in the long run, a confidence inevitable and essential in a government which refers every question to the arbitrament of numbers. There have, of course, been instances where the once insignificant minority proved to have been wiser than the majority of the moment. Such was eminently the case in the great slavery struggle. But here the minority prevailed by growing into a majority as events developed the real issues, so that this also has been deemed a ground for holding that all minorities which have right

on their side will bring round their antagonists, and in the long run win by voting power. If you ask an intelligent citizen why he so holds, he will answer that truth and justice are sure to make their way into the minds and consciences of the majority. This is deemed an axiom, and the more readily so deemed because truth is identified with common sense, the quality which the average citizen is most confidently proud of possessing.

This feeling shades off into another, externally like it, but at bottom distinct — the feeling not only that the majority, be it right or wrong, will and must prevail, but that its being the majority proves it to be right. This idea, which appears in the guise sometimes of piety and sometimes of fatalism, seems to be no contemptible factor in the present character of the people. It will be more fully dealt with in a later chapter.

The native Americans are an educated people, compared with the whole mass of the population in any European country except Switzerland, parts of Germany, Norway, Iceland, and Scotland; that is to say, the average of knowledge is higher, the habit of reading and thinking more generally diffused, than in any other country. They know the Constitution of their own country, they follow public affairs, they join in local government and learn from it how government must be carried on, and in particular how discussion must be conducted in meetings, and its results tested at elections. The Town Meeting° was for New England the most perfect school of self-government in any modern country. In villages, men used to exercise their minds on theological questions, debating points of Christian doctrine with no small acuteness. Women, in particular, pick

up at the public schools and from the popular magazines far more miscellaneous information than the women of any European country possess, and this naturally tells on the intelligence of the men. Almost everywhere one finds women's clubs in which literary, artistic, and social questions are discussed, and to which men of mark are brought to deliver lectures.

That the education of the masses is nevertheless a superficial education goes without saying. It is sufficient to enable them to think they know something about the great problems of politics: insufficient to show them how little they know. The public elementary school gives everybody the key to knowledge in making reading and writing familiar, but it has not time to teach him how to use the key, whose use is in fact, by the pressure of daily work, almost confined to the newspaper and the magazine. So we may say that if the political education of the average American voter be compared with that of the average voter in Europe, it stands high; but if it be compared with the functions which the theory of the American government lays on him, which its spirit implies, which the methods of its party organization assume, its inadequacy is manifest. This observation, however, is not so much a reproach to the schools, which generally do what English schools omit — instruct the child in the principles of the Constitution — as a tribute to the height of the ideal which the American conception of popular rule sets up.

For the functions of the citizen are not, as has hitherto been the case in Europe, confined to the choosing of legislators, who are then left to settle issues of policy and select executive rulers. The American

citizen is one of the governors of the Republic. Issues are decided and rulers selected by the direct popular vote. Elections are so frequent that to do his duty at them a citizen ought to be constantly watching public affairs with a full comprehension of the principles involved in them, and a judgment of the candidates derived from a criticism of their arguments as well as a recollection of their past careers. The instruction received in the common schools and from the newspapers, and supposed to be developed by the practice of primaries and conventions, while it makes the voter deem himself capable of governing, does not fit him to weigh the real merits of statesmen, to discern the true grounds on which questions ought to be decided, to note the drift of events and discover the direction in which parties are being carried. He is like a sailor who knows the spars and ropes of the ship and is expert in working her, but is ignorant of geography and navigation; who can perceive that some of the officers are smart and others dull, but cannot judge which of them is qualified to use the sextant or will best keep his head during a hurricane.

They are a moral and well-conducted people. Setting aside the *colluvies gentium*° which one finds in Western mining camps, now largely filled by recent immigrants, and which popular literature has presented to Europeans as far larger than it really is, setting aside also the rabble of a few great cities and the negroes of the South, the average of temperance, chastity, truthfulness, and general probity is somewhat higher than in any of the great nations of Europe. The instincts of the native farmer or artisan are almost invariably kindly and charitable. He respects the law; he is deferential to

women and indulgent to children; he attaches an almost excessive value to the possession of a genial manner and the observance of domestic duties.

They are also — and here again I mean the people of native American stock, especially in the Eastern and Middle States, on the whole, a religious people. It is not merely that they respect religion and its ministers, for that one might say of Russians or Sicilians, not merely that they are assiduous church-goers and Sunday-school teachers, but that they have an intelligent interest in the form of faith they profess, are pious without superstition, and zealous without bigotry. The importance which some still, though all much less than formerly, attach to dogmatic propositions, does not prevent them from feeling the moral side of their theology. Christianity influences conduct, not indeed half as much as in theory it ought, but probably more than it does in any other modern country, and far more than it did in the so-called ages of faith.

Nor do their moral and religious impulses remain in the soft haze of self-complacent sentiment. The desire to expunge or cure the visible evils of the world is strong. Nowhere are so many philanthropic and reformatory agencies at work. Zeal outruns discretion, outruns the possibilities of the case, in not a few of the efforts made, as well by legislation as by voluntary action, to suppress vice, to prevent intemperance, to purify popular literature.

Religion apart, they are an unreverential people. I do not mean irreverent, — far from it; nor do I mean that they have not a great capacity for hero-worship, as they have many a time shown. I mean that they are

little disposed, especially in public questions — political, economical, or social — to defer to the opinions of those who are wiser or better instructed than themselves. Everything tends to make the individual independent and self-reliant. He goes early into the world; he is left to make his way alone; he tries one occupation after another, if the first or second venture does not prosper; he gets to think that each man is his own best helper and adviser. Thus he is led, I will not say to form his own opinions, for few are those who do that, but to fancy that he has formed them, and to feel little need of aid from others towards correcting them. There is, therefore, less disposition than in Europe to expect light and leading on public affairs from speakers or writers. Oratory is not directed towards instruction, but towards stimulation. Special knowledge, which commands deference in applied science or in finance, does not command it in politics, because that is not deemed a special subject, but one within the comprehension of every practical man. Politics is, to be sure, a profession, and so far might seem to need professional aptitudes. But the professional politician is not the man who has studied statesmanship, but the man who has practised the art of running conventions and winning elections.

Even that strong point of America, the completeness and highly popular character of local government, contributes to lower the standard of attainment expected in a public man, because the citizens judge of all politics by the politics they see first and know best, — those of their township or city, — and fancy that he who is fit to be selectman, or county commissioner, or alderman, is fit to sit in the great council of the nation. Like the

shepherd in Virgil,° they think the only difference between their town and Rome is in its size, and believe that what does for Lafayette will do well enough for Washington. Hence when a man of statesmanlike gifts appears, he has little encouragement to take a high and statesmanlike tone, for his words do not necessarily receive weight from his position. He fears to be instructive or hortatory, lest such an attitude should expose him to ridicule; and in America ridicule is a terrible power. Nothing escapes it. Few have the courage to face it. In the indulgence of it even this humane race can be unfeeling.

They are a busy people. I have already observed that the leisured class is relatively small, is in fact confined to a few Eastern cities. The citizen has little time to think about political problems. Engrossing all the working hours, his avocation leaves him only stray moments for this fundamental duty. It is true that he admits his responsibilities, considers himself a member of a party, takes some interest in current events. But although he would reject the idea that his thinking should be done for him, he has not leisure to do it for himself, and must practically lean upon and follow his party. It astonished me in 1870 and 1881 to find how small a part politics played in conversation among the best educated classes and generally in the cities. Since 1896 there has been a livelier and more constant interest in public affairs; yet even now business matters so occupy the mind of the financial and commercial classes, and athletic competitions the minds of the uneducated classes and of the younger sort in all classes, that political questions are apt, except at critical moments, to fall into the back-

ground.° In a presidential year, and especially during the months of a presidential campaign, there is, of course, abundance of private talk, as well as of public speaking, but even then the issues raised are largely personal rather than political in the European sense. But at other times the visitor is apt to feel — more, I think, than he feels anywhere in Britain — that his host has been heavily pressed by his own business concerns during the day, and that when the hour of relaxation arrives he gladly turns to lighter and more agreeable topics than the state of the nation. This remark is less applicable to the dwellers in villages. There is plenty of political chat° round the store at the cross roads, and though it is rather in the nature of gossip than of debate, it seems, along with the practice of local government, to sustain the interest of ordinary folk in public affairs.

The want of serious and sustained thinking is not confined to politics. One feels it even more as regards economical and social questions. To it must be ascribed the vitality of certain prejudices and fallacies which could scarcely survive the continuous application of such vigorous minds as one finds among the Americans. Their quick perceptions serve them so well in business and in the ordinary affairs of private life that they do not feel the need for minute investigation and patient reflection on the underlying principles of things. They are apt to ignore difficulties, and when they can no longer ignore them, they will evade them rather than lay siege to them according to the rules of art. The sense that there is no time to spare haunts an American even when he might find the time, and would do best for himself by finding it.

Some one will say that an aversion to steady thinking belongs to the average man everywhere. True. But less is expected from the average man in other countries than from a people who have carried the doctrine of popular sovereignty further than it has ever been carried before. They are tried by the standard which the theory of their government assumes. In other countries statesmen or philosophers do, and are expected to do, the solid thinking for the bulk of the people. Here the people are supposed to do it for themselves. To say that they do it imperfectly is not to deny them the credit of doing it better than a European philosopher might have predicted.

They are a commercial people, whose point of view is primarily that of persons accustomed to reckon profit and loss. Their impulse is to apply a direct practical test to men and measures, to assume that the men who have got on fastest are the smartest men, and that a scheme which seems to pay well deserves to be supported. Abstract reasonings they dislike, subtle reasonings they suspect; they accept nothing as practical which is not plain, downright, apprehensible by an ordinary understanding. Although open-minded, so far as willingness to listen goes, they are hard to convince, because they have really made up their minds on most subjects, having adopted the prevailing notions of their locality or party as truths due to their own reflection.

It may seem a contradiction to remark that with this shrewdness and the sort of hardness it produces, they are nevertheless an impressionable people. Yet this is true. It is not their intellect, however, that is impressionable, but their imagination and emotions, which respond in

unexpected ways to appeals made on behalf of a cause which seems to have about it something noble or pathetic. They are capable of an ideality surpassing that of Englishmen or Frenchmen.

They are an unsettled people. In no State of the Union is the bulk of the population so fixed in its residence as everywhere in Europe; in some it is almost nomadic. Except in the more stagnant parts of the South, nobody feels rooted to the soil. Here to-day and gone to-morrow, he cannot readily contract habits of trustful dependence on his neighbours. Community of interest, or of belief in such a cause as temperance, or protection for native industry, unites him for a time with others similarly minded, but congenial spirits seldom live long enough together to form a school or type of local opinion which develops strength and becomes a proselytizing force. Perhaps this tends to prevent the growth of variety in opinion. When a man arises with some power of original thought in politics, he is feeble if isolated, and is depressed by his insignificance, whereas if he grows up in favourable soil with sympathetic minds around him, whom he can in prolonged intercourse permeate with his ideas, he learns to speak with confidence and soars on the wings of his disciples. One who considers the variety of conditions under which men live in America may certainly find ground for surprise that there should be so few independent schools of opinion.

But even while an unsettled, they are nevertheless an associative, because a sympathetic people. Although the atoms are in constant motion, they have a strong attraction for one another. Each man catches his

neighbour's sentiment more quickly and easily than happens with the English. That sort of reserve and isolation, that tendency rather to repel than to invite confidence, which foreigners attribute to the Englishman, though it belongs rather to the upper and middle class than to the nation generally, is, though not absent, yet less marked° in America. It seems to be one of the notes of difference between the two branches of the race. In the United States, since each man likes to feel that his ideas raise in other minds the same emotions as in his own, a sentiment or impulse is rapidly propagated and quickly conscious of its strength. Add to this the aptitude for organization which their history and institutions have educed, and one sees how the tendency to form and the talent to work combinations for a political or any other object has become one of the great features of the country. Hence, too, the immense strength of party. It rests not only on interest and habit and the sense of its value as a means of working the government, but also on the sympathetic element and instinct of combination ingrained in the national character.

They are a changeful people. Not fickle, for they are if anything too tenacious of ideas once adopted, too fast bound by party ties, too willing to pardon the errors of a cherished leader. But they have what chemists call low specific heat; they grow warm suddenly and cool as suddenly; they are liable to swift and vehement outbursts of feeling which rush like wildfire across the country, gaining glow, like the wheel of a railway car, by the accelerated motion. The very similarity of ideas and equality of conditions which makes them hard

to convince at first makes a conviction once implanted run its course the more triumphantly. They seem all to take flame at once, because what has told upon one, has told in the same way upon all the rest, and the obstructing and separating barriers which exist in Europe scarcely exist here. Nowhere is the saying so applicable that nothing succeeds like success. The native American or so-called Know-nothing° party had in two years from its foundation become a tremendous force, running, and seeming for a time likely to carry, its own presidential candidate. In three years more it was dead without hope of revival. Now and then as for instance in the elections of 1874–75,° and again in those of 1890,° there comes a rush of feeling so sudden and tremendous, that the name of Tidal Wave has been invented to describe it.

After this it may seem a paradox to add that the Americans are a conservative people. Yet any one who observes the power of habit among them, the tenacity with which old institutions and usages, legal and theological formulas, have been clung to, will admit the fact. Moreover, prosperity helps to make them conservative. They are satisfied with the world they live in, for they have found it a good world, in which they have grown rich and can sit under their own vine and fig tree, none making them afraid. They are proud of their history and of their Constitution, which has come out of the furnace of civil war with scarcely the smell of fire upon it. It is little to say that they do not seek change for the sake of change, because the nations that do this exist only in the fancy of alarmist philosophers. There are nations, however, whose impatience of existing evils, or whose proneness to be allured by visions of a brighter

future, makes them underestimate the risk of change, nations that will pull up the plant to see whether it has begun to strike root. This is not the way of the Americans. They are no doubt ready to listen to suggestions from any quarter. They do not consider that an institution is justified by its existence, but admit everything to be matter for criticism. Their keenly competitive spirit and pride in their own ingenuity have made them quicker than any other people to adopt and adapt inventions: telephones were in use in every little town over the West, while in the city of London men were just beginning to wonder whether they could be made to pay. The Americans have doubtless of late years become, especially in the West, an experimental people, so far as politics and social legislation are concerned, and there is to-day less reverence for the National Constitution itself than there was in the generation that fought through the Civil War. The growing discontent with existing social conditions, the growing resentment at the power which the possessors of great wealth have been able to exercise, have disposed many persons to desire changes in political arrangements under which such things are possible.

Yet we may still say that as respects the fundamentals of their government, the American people are still a conservative people, in virtue both of the deep instincts of their race and of that practical shrewdness which recognizes the value of permanence and solidity in institutions. They are conservative in their fundamental beliefs, in the structure of their governments, in their social and domestic usages. They are like a tree whose pendulous shoots quiver and rustle with the lightest breeze, while its roots enfold the rock with a grasp which storms cannot loosen.

WHEREIN PUBLIC OPINION SUCCEEDS[1]

In the examination of the actualities of politics as well as of forms of government, faults are more readily perceived than merits. Everybody is struck by the mistakes which a ruler makes, or by evils which a constitution fails to avert, while less praise than is due may be bestowed in respect of the temptations that have been resisted, or the prudence with which the framers of the government have avoided defects from which other countries suffer. Thus the general prosperity of the United States and the success of their people in all kinds of private enterprises, philanthropic as well as gainful, throws into relief the blemishes of their government, and makes it the more necessary to point out in what respects the power of public opinion overcomes those blemishes, and maintains a high level of good feeling and well-being in the nation.

The European observer of the working of American institutions is apt to sum up his conclusions in two contrasts. One is between the excellence of the Constitution and the vices of the party system that has laid hold of it, discovered its weak points, and brought in a swarm of evils. The Fathers, he says, created the Constitution good,° but their successors have sought out many inventions. The other contrast is between the faults of the political class and the merits of the people at large.

[1] *The American Commonwealth*, Chapter LXXXVII.

The men who work the Machine are often selfish and unscrupulous. The people, for whose behoof it purports to be worked, and who suffer themselves to be "run" by the politicians, are honest, intelligent, fair-minded. No such contrast exists anywhere else in the world. Either the politicians are better than they are in America, or the people are worse.

The causes of this contrast, which to many observers has seemed the capital fact of American politics, have been already explained. It brings out the truth, on which too much stress cannot be laid, that the strong point of the American system, the dominant fact of the situation, is the healthiness of public opinion, and the control which it exerts. As Abraham Lincoln said in his famous contest with Douglas,° "With public sentiment on its side, everything succeeds; with public sentiment against it, nothing succeeds."

The conscience and common sense of the nation as a whole keep down the evils which have crept into the working of the Constitution, and may in time extinguish them. Public opinion is a sort of atmosphere, fresh, keen, and full of sunlight, like that of the American cities, and this sunlight kills many of those noxious germs which are hatched where politicians congregate. That which, varying a once famous phrase, we may call the genius of universal publicity, has some disagreeable results, but the wholesome ones are greater and more numerous. Selfishness, injustice, cruelty, tricks, and jobs of all sorts shun the light; to expose them is to defeat them. No serious evils, no rankling sore in the body politic, can remain long concealed, and when disclosed, it is half destroyed. So long as the opinion of a

nation is sound, the main lines of its policy cannot go far wrong, whatever waste of time and money may be incurred in carrying them out. It was observed in the last chapter that opinion is too vague and indeterminate a thing to be capable of considering and selecting the best means for the end on which it has determined. The counterpart of that remark is that the opinion of a whole nation, a united and tolerably homogeneous nation, is, when at last it does express itself, the most competent authority to determine the ends of national policy.° In European countries, legislatures and cabinets sometimes take decisions which the nation, which had scarcely thought of the matter till the decision has been taken, is ultimately found to disapprove. In America, men feel that the nation is the only power entitled to say what it wants, and that, till it has manifested its wishes, nothing must be done to commit it. It may sometimes be long in speaking, but when it speaks, it speaks with a weight which the wisest governing class cannot claim.

The frame of the American government has assumed and trusted to the activity of public opinion, not only as the power which must correct and remove the difficulties due to the restrictions imposed on each department, and to possible collisions between them, but as the influence which must supply the defects incidental to a system which works entirely by the machinery of popular elections. Under a system of elections one man's vote is as good as another, the vicious and ignorant have as much weight as the wise and good. A system of elections might be imagined which would provide no security for due deliberation or full discussion, a system which, while democratic in name, recognizing no privilege, and re-

ferring everything to the vote of the majority, would in practice be hasty, violent, tyrannical. It is with such a possible democracy that one has to contrast the rule of public opinion as it exists in the United States. Opinion declares itself legally through elections. But opinion is at work at other times also, and has other methods of declaring itself. It secures full discussion of issues of policy and of the characters of men. It suffers nothing to be concealed. It listens patiently to all the arguments that are addressed to it. Eloquence, education, wisdom, the authority derived from experience and high character, tell upon it in the long run, and have, perhaps not always their due influence, but yet a great and growing influence. Thus a democracy governing itself through a constantly active public opinion, and not solely by its intermittent mechanism of elections, tends to become patient, tolerant, reasonable, and is more likely to be unembittered and unvexed by class divisions.

It is the existence of such a public opinion as this, the practice of freely and constantly reading, talking, and judging of public affairs with a view to voting thereon, rather than the mere possession of political rights, that gives to popular government that educative and stimulative power which is so frequently claimed as its highest merit. Those who, in the last generation, were forced to argue for democratic government against oligarchies or despots, were perhaps inclined, if not to exaggerate the value of extended suffrage and a powerful legislature, at least to pass too lightly over the concomitant conditions by whose help such institutions train men to use liberty well. History does not support the doctrine that the mere enjoyment of power fits large masses of

men, any more than individuals or classes, for its exercise. Along with that enjoyment there must be found some one or more of various auspicious conditions, such as a direct and fairly equal interest in the common welfare, the presence of a class or group of persons respected and competent to guide, an absence of religious or race hatreds, a high level of education or at least of intelligence, old habits of local self-government, the practice of unlimited free discussion. In America it is not simply the habit of voting, but the briskness and breeziness of the whole atmosphere of public life, and the process of obtaining information and discussing it, of hearing and judging each side, that form the citizen's intelligence. True it is that he would gain less from this process if it did not lead up to the exercise of voting power: he would not learn so much on the road did not the polling-booth stand at the end of it. But if it were his lot, as it is that of the masses in some European countries, to exercise his right of suffrage under few of these favouring conditions, the educational value of the vote would become comparatively small. It is the habit of breathing as well as helping to form public opinion that cultivates, develops, trains the average American. It gives him a sense of personal responsibility stronger, because more constant, than exists in those free countries of Europe where he commits his power to a legislature. Sensible that his eye ought to be always fixed on the conduct of affairs, he grows accustomed to read and judge, not indeed profoundly, sometimes erroneously, usually under party influences, but yet with a feeling that the judgment is his own. He has a sense of ownership in the government, and therewith a kind of inde-

pendence of manner as well as of mind very different from the demissness of the humbler classes of the Old World. And the consciousness of responsibility which goes alone with this laudable pride, brings forth the peaceable fruits of moderation. As the Greeks thought that the old families ruled their households more gently than upstarts did, so citizens who have been born to power, born into an atmosphere of legal right and constitutional authority, are sobered by their privileges. Despite their natural quickness and eagerness, the native Americans are politically patient. They are disposed to try soft means first, to expect others to bow to that force of opinion which they themselves recognize. Opposition does not incense them; danger does not, by making them lose their heads, hurry them into precipitate courses. In no country does a beaten minority take a defeat so well. Admitting that the blood of the race counts for something in producing that peculiar coolness and self-control in the midst of an external effervescence of enthusiasm, which is the most distinctive feature of the American masses, the habit of ruling by public opinion and obeying it counts for even more. It was far otherwise in the South before the war, but the South was not a democracy, and its public opinion was that of a passionate class.

The best evidence for this view is to be found in the educative influence of opinion on newcomers. Any one can see how severe a strain is put on democratic institutions by the influx every year of nearly a million of untrained Europeans. Being in most States admitted to full civic rights before they have come to shake off European notions and habits, these strangers enjoy

political power before they either share or are amenable to American opinion. They follow blindly leaders of their own race, are not moved by discussion, exercise no judgment of their own. This lasts for some years, probably for the rest of life with those who are middle-aged when they arrive. It lasts also with those who, belonging to the more backward races, remain herded together in large masses, and makes them a dangerous element in manufacturing and mining districts. But the younger sort, when, if they be foreigners, they have learnt English, and when, dispersed among Americans so as to be able to learn from them, they have imbibed the sentiments and ideas of the country, are thenceforth scarcely to be distinguished from the native population. They are more American than the Americans in their desire to put on the character of their new country. This peculiar gift which the Republic has shown, of quickly dissolving and assimilating the foreign bodies that are poured into her, imparting to them her own qualities of orderliness, good sense, and a willingness to bow to the will of the majority, is mainly due to the all-pervading force of opinion, which the newcomer, so soon as he has formed social and business relations with the natives, breathes in daily till it insensibly transmutes him. Their faith, and a sentiment of resentment against England, long kept up among the Irish a body of separate opinion, which for a time resisted the solvent power of its American environment. But the public schools finished the work of the factory and the newspapers. The Irish immigrant's son is now an American citizen for all purposes.

It is chiefly the faith in publicity that gives to the

American public their peculiar buoyancy, and what one may call their airy hopefulness in discussing even the weak points of their system. They are always telling you that they have no skeleton closets, nothing to keep back. They know, and are content that all the world should know, the worst as well as the best of themselves. They have a boundless faith in free inquiry and full discussion. They admit the possibility of any number of temporary errors and delusions. But to suppose that a vast nation should, after hearing everything, canvassing everything, and trying all the preliminary experiments it has a mind to, ultimately go wrong by mistaking its own true interests, seems to them a sort of blasphemy against the human intelligence and its Creator.

They claim for opinion that its immense power enables them to get on with but little government. Some evils which the law and its officers are in other countries required to deal with are here averted or cured by the mere force of opinion, which shrivels them up when its rays fall on them. As it is not the product of any one class, and is unwilling to recognize classes at all, for it would stand self-condemned as un-American if it did, it discourages anything in the nature of class legislation. Where a particular section of the people, such, for instance, as the Western farmers or the Eastern operatives, think themselves aggrieved, they clamour for the measures thought likely to help them. The farmers legislated against the railroads, the labour party asks an eight-hour law. But whereas on the European continent such a class would think and act as a class, hostile to other classes, and might resolve to pursue its own ob-

jects at whatever risk to the nation, in America national opinion, which every one recognizes as the arbiter, mitigates these feelings, and puts the advocates of the legislation which any class demands upon showing that their schemes are compatible with the paramount interest of the whole community. To say that there is no legislation in America which, like the class legislation of Europe, has thrown undue burdens on the poor, while jealously guarding the pleasures and pockets of the rich, is to say little, because where the poorer citizens have long been a numerical majority, invested with political power, they will evidently take care of themselves. But the opposite danger might have been feared, that the poor would have turned the tables on the rich, thrown the whole burden of taxation upon them, and disregarded in the supposed interest of the masses what are called the rights of property. Not only has this not been attempted — it has been scarcely even suggested (except, of course, by professed Collectivists° as part of a reconstruction of society), and it excites no serious apprehension. There is nothing in the machinery of government that could do more than delay it for a time, did the masses desire it. What prevents it is the honesty and common sense of the citizens generally, who are convinced that the interests of all classes are substantially the same, and that justice is the highest of those interests. Equality, open competition, a fair field to everybody, every stimulus to industry, and every security for its fruits, these they hold to be the self-evident principles of national prosperity.

If public opinion is heedless in small things, it usually checks measures which, even if not oppressive, are

palpably selfish or unwise. If before a mischievous bill passes, its opponents can get the attention of the people fixed upon it, its chances are slight. All sorts of corrupt or pernicious schemes which are hatched at Washington or in the State legislatures are abandoned because it is felt that the people will not stand them, although they could be easily pushed through those not too scrupulous assemblies. There have been instances of proposals which took people at first by their plausibility, but which the criticism of opinion riddled with its unceasing fire till at last they were quietly dropped. It was in this way that President Grant's attempt to annex San Domingo° failed. He had made a treaty for the purpose, which fell through for want of the requisite two-thirds majority in the Senate, but he persisted in the scheme until at last the disapproval of the general public, which had grown stronger by degrees and found expression through the leading newspapers, warned him to desist. After the war, there was at first in many quarters a desire to punish the Southern leaders for what they had made the North suffer. But by degrees the feeling died away, the sober sense of the whole North restraining the passions of those who had counselled vengeance; and, as every one knows, there was never a civil war or rebellion, whichever one is to call it, followed by so few severities.

Public opinion often fails to secure the appointment of the best men to places, but where undivided responsibility can be fixed on the appointing authority, it prevents, as those who are behind the scenes know, countless bad appointments for which politicians intrigue. Considering the power of party managers over the Federal

executive, and the low sense of honour and public duty as regards patronage among politicians, the leading posts are filled, if not by the most capable men, yet seldom by bad ones. The judges of the Supreme Court, for instance, are, and have always been, men of high professional standing and stainless character. The same may be, though less generally, said of the upper Federal officials in the North and West. That no similar praise can be bestowed on the exercise of Federal patronage in the Southern States since the war, is an illustration of the view I am stating. As the public opinion of the South (that is to say, of the whites who make opinion there) was steadily hostile to the Republican party, which commanded the executive during the twenty years from 1865 to 1885, the Republican party managers were indifferent to it, because they had nothing to gain or to lose from it. Hence they made appointments without regard to it. Northern opinion knows comparatively little of the details of Southern politics and the character of officials who act there, so that they might hope to escape the censure of their supporters in the North. Hence they jobbed their patronage in the South with unblushing cynicism, using Federal posts there as a means not merely of rewarding party services, but also of providing local white leaders and organizers to the coloured Southern Republicans. Their different behaviour there and in the North therefore showed that it was not public virtue, but the fear of public opinion, that was making their Northern appointments on the whole respectable, while those in the South were at that time so much the reverse. The same phenomenon has been noticed in Great Britain. Jobs° are frequent

and scandalous in the inverse ratio to the notice they are likely to attract.

In questions of foreign policy, opinion is a valuable reserve force. When demonstrations are made by party leaders intended to capture the vote of some particular section, the native Americans only smile. But they watch keenly the language held and the acts done by the State Department (Foreign Office), and, while determined to support the President in vindicating the rights of American citizens, would be found ready to check any demand or act going beyond their legal rights which could tend to embroil them with a foreign power. There is still a touch of spread-eagleism and an occasional want of courtesy and taste among public speakers and journalists when they refer to other countries; and there is a determination in all classes to keep European interference at a distance. But among the ordinary native citizens one finds (I think) less obtrusive selfishness, less Chauvinism,° less cynicism in declaring one's own national interests to be paramount to those of other States, than in any of the great States of Europe. Justice and equity are more generally recognized as binding upon nations no less than on individuals. Whenever humanity comes into question, the heart of the people is sound. The treatment of the Indians reflects little credit on the Western settlers who have come in contact with them, and almost as little on the Federal government, whose efforts to protect them have been often foiled by the faults of its own agents, or by its own want of promptitude and foresight. But the wish of the people at large has always been to deal generously with the aborigines, nor have appeals on

their behalf, such as those so persistently and eloquently made by the late Mrs. Helen Jackson,° ever failed to command the sympathy and assent of the country.

Throughout these chapters I have been speaking chiefly of the Northern States and chiefly of recent years, for America is a country which changes fast. But the conduct of the Southern people, since their defeat in 1865, illustrates the tendency of underlying national traits to reassert themselves when disturbing conditions have passed away. Before the war the public opinion of the Slave States, and especially of the planting States, was practically the opinion of a class, — the small and comparatively rich landowning aristocracy. The struggle for the defence of their institution had made this opinion fierce and intolerant. To a hatred of the Abolitionists, whom it thought actuated by the wish to rob and humiliate the South, it joined a misplaced contempt for what it deemed the money-grubbing and peace-at-any-price spirit of the Northern people generally. So long as the subjugated States were ruled by arms, and the former "rebels" excluded by disfranchisement from the government of their States, this bitterness remained. When the restoration of self-government, following upon the liberation of the Confederate prisoners and the amnesty, had shown the magnanimity of the North, its clemency, its wish to forget and forgive, its assumption that both sides would shake hands and do their best for their common country, the hearts of the Southern men were conquered. Opinion went round. Frankly, one might almost say cheerfully, it recognized the inevitable. It stopped those outrages

on the negroes which the law had been unable to repress. It began to regain "touch" of, it has now almost fused itself with, the opinion of the North and West. No one Southern leader or group can be credited with this: it was the general sentiment of the people that brought it about. Still less do the Northern politicians deserve the praise of the peace-makers, for many among them tried for political purposes to fan or to rekindle the flame of suspicion in the North. It was the opinion of the North generally, more liberal than its guides, which dictated not merely forgiveness, but the restoration of equal civic rights. Nor is this the only case in which the people have proved themselves to have a higher and a truer inspiration than the politicians.

It has been observed that the all-subduing power of the popular voice may tell against the appearance of great statesmen by dwarfing aspiring individualities, by teaching men to discover and obey the tendencies of their age rather than rise above them and direct them. If this happens in America, it is not because the American people fail to appreciate and follow and exalt such eminent men as fortune bestows upon it. It has a great capacity for loyalty, even for hero-worship. "Our people," said an experienced American publicist to me, "are in reality hungering for great men, and the warmth with which even pinchbeck geniuses, men who have anything showy or taking about them, anything that is deemed to betoken a strong individuality, are followed and glorified in spite of intellectual emptiness, and perhaps even moral shortcomings, is the best proof of the fact." Henry Clay° was the darling of his party for many years, as Jefferson, with less of personal fascina-

tion, had been in the preceding generation. Daniel Webster° retained the devotion of New England long after it had become clear that his splendid intellect was mated to a far from noble character. A kind of dictatorship was yielded to Abraham Lincoln, whose memory is cherished almost like that of Washington himself. Whenever a man appears with something taking or forcible about him, he becomes the object of so much popular interest and admiration that those cooler heads who perceive his faults, and perhaps dread his laxity of principle, reproach the proneness of their less discerning countrymen to make an idol out of wood or clay. The career of Andrew Jackson° is a case in point, though it may be hoped that the intelligence of the people would estimate such a character more truly to-day than it did in his own day. I doubt if there be any country where a really brilliant man, confident in his own strength, and adding the charm of a striking personality to the gift of popular eloquence, would find an easier path to fame and power, and would exert more influence over the minds and emotions of the multitude. Such a man, speaking to the people with the independence of conscious strength, would find himself appreciated and respected.

Controversy is still bitter, more profuse in personal imputations than one expects to find it where there are no grave issues to excuse excitement. But in this respect also there is an improvement. Partisans are reckless, but the mass of the people lends itself less to acrid partisanship than it did in the times just before the Civil War, or in those first days of the Republic which were so long looked back to as a sort of he-

roic age. Public opinion grows more temperate, more mellow, and assuredly more tolerant. Its very strength disposes it to bear with opposition or remonstrance. It respects itself too much to wish to silence any voice.

DEMOCRACY IN AMERICA

THE SUPPOSED FAULTS OF DEMOCRACY[1]

THE question which in one form or another every European politician has during the last half century been asking about the United States, is the broad question, How does democracy answer? No other country has tried the experiment of a democratic government on so large a scale, with so many minor variations, for the State governments are forty-six autonomous° democracies, or with such advantages of geographical position and material resources. And those who think that all civilized countries are moving towards democracy, even though they may not be destined to rest there, find the question an important one for themselves. The reader who has followed thus far the account I have tried to give of the Federal Constitution and its working, of the State Constitutions, of local government, of the party machinery, of the influence of public opinion as a controlling power over all the institutions of the country, will be content with a comparatively brief summary of the results to which the inquiries made under these heads point.

That summary naturally falls into three parts. We have to ask first, how far the faults usually charged on

[1] *The American Commonwealth*, Chapter C.

democracy are present in America; next, what are the special faults which characterize it here; last, what are the strong points which it has developed.

The chief faults which philosophers, from Plato° downwards, and popular writers repeating and caricaturing the dicta of philosophers, have attributed to democratic governments, are the following: —

Weakness in emergencies, incapacity to act with promptitude and decision.

Fickleness and instability, frequent changes of opinion, consequent changes in the conduct of affairs and in executive officials.

Insubordination, internal dissensions, disregard of authority, with a frequent resort to violence, bringing on an anarchy which ends in military tyranny.

A desire to level down, and an intolerance of greatness.

Tyranny of the majority over the minority.

A love of novelty: a passion for changing customs and destroying old institutions.

Ignorance and folly, producing a liability to be deceived and misled; consequent growth of demagogues playing on the passions and selfishness of the masses.

I do not say that this list exhausts the reproaches directed against democracy, but it includes those which are most often heard and are best worth examining. Most of them are drawn from the history of the Greek republics of antiquity and the Italian republics of the Middle Ages, small communities where the conditions of social and political life were so different from those of a great modern country that we ought not to expect similar results to follow from political arrangements called by the same name. However, as this considera-

tion has not prevented writers and statesmen, even in our own day, from repeating the old censures, and indeed from mixing together in one repulsive potion all the faults that belonged to small aristocratic republics with all that can belong to large democratic republics, it is worth while to examine these current notions, and try them by the light of the facts which America furnishes.

Weakness and Want of Promptitude. — The American democracy is long-suffering and slow in rousing itself; it is often perplexed by problems, and seems to grope blindly for their solution. In the dealings with England and France which preceded the War of A.D. 1812,° and in the conduct of that war, its government showed some irresolution and sluggishness. The habit of blustering in its intercourse with foreign powers, and the internal strife over slavery, led Europeans to think it lacked firmness and vigour. They were undeceived in 1861. While it seemed possible to avert a breach with the Southern slaveholders, the North was willing to accept, and did accept, a series of compromises whose inadequacy was soon revealed. The North was ill led in Congress, and the South was boldly if not wisely led. Yet when the crisis arrived, the North put forth its power with a suddenness and resolution which surprised the world. There was no faltering in the conduct of a struggle which for two long years French and English statesmen deemed hopeless. The best blood of the North freely offered itself to be shed on the battlefields of Virginia and Pennsylvania for the sake of the Union; while an enormous debt was incurred in equipping army after army. As every one knows, the Southern people displayed no less vigour even when the tide had evi-

dently begun to turn against them, and the hope of European intervention died away. If want of force, dash, and courage in moments of danger is a defect generally chargeable on popular governments, it was not then chargeable on the United States. But the doctrine is one which finds little to support it either in ancient or in modern history, while there are many instances to the contrary: witness the war of the Swiss° against Charles the Bold, and the defence of Florence° against Charles the Fifth.

Fickleness and Instability. — The indictment fails on this count also. The people are open to sudden impulses, and in particular States there have been ill-considered innovations and a readiness to try wild experiments, such as those I have described in California.° But taking the nation as a whole, its character is marked by tenacity of beliefs and adherence to leaders once chosen. The opposite charge of stubbornness in refusing to be convinced by argument and to admit the failings of men who have established some title to gratitude, might more plausibly be preferred. Western farmers have been accustomed to suffer from the high price of the clothes they wear and the implements they use, but once they had imbibed the belief that a protective tariff makes for the general good of the country they remained protectionists down till 1890; and of those who then wavered many have since reverted to that view. The blunders° of President Grant's first administration, and the misdeeds of the knot of men who surrounded him, playing upon the political inexperience of a blunt soldier, scarcely affected the loyalty of the masses to the man whose sword had saved the Union.

Congressmen and State officials are no doubt often changed, but they are changed in pursuance of a doctrine and a habit in which the interests of a class are involved, not from any fickleness in the people.

Insubordination and Contempt for Authority. — On this head the evidence is more conflicting. There are States and cities, in which the laws are imperfectly enforced. Homicide is hardly a crime in some parts of the South — that is to say, a man who kills another is not always arrested, often not convicted° when arrested and put on his trial, very rarely hanged when convicted. One might almost say that private war is recognized by opinion in these districts, as it was in Europe during the earlier Middle Ages. In the mountainous country of eastern Kentucky, and the adjoining parts of Virginia and Tennessee, quarrels are kept up from generation to generation between hostile families and their respective friends, which the State authorities cannot succeed in repressing. In 1890, I was assured when passing the borders of that region, that in one such blood feud more than fifty persons had perished within the preceding ten years, each murder provoking another in revenge. When a judge goes into these parts it has sometimes befallen that a party of men come down fully armed from the mountains, surround the court house, and either drive him away or oblige him to abandon the attempt to do justice on slayers belonging to their faction. In the West, again, particularly in such Southwestern States as Missouri, Arkansas, and Texas, brigandage was for a time, and is still in some few places, regarded with a certain amusement, rising into sympathy, by a part of the peaceable population. Having arisen partly

out of the Border ruffianism° which preceded the outbreak of the Civil War, partly among men who were constantly engaged in skirmishing with the Indian tribes, there was a flavour of romance about it, which ceased to gild the exploits of train-robbers only when their activity threatened the commercial interests of a rising city. Jesse James,° the notorious bandit of Missouri, and his brothers were popular heroes in the region they infested, much like Robin Hood and Little John° in the ballads of the thirteenth century in England. These phenomena are, however, explicable by other causes than democratic government. The homicidal habits of the South are a relic of that semi-barbarism which slavery kept alive long after the northern free States had reached the level of European order. The want of a proper police is apparently the cause answerable for the train-robberies which still, even in such States as Illinois and Ohio, sometimes occur, and these are detected and punished more frequently by the energy of the railroad or express (parcel delivery) companies and their skilled detectives than through the action of the State authorities. Brigandage is due to the absence of a mounted gendarmerie° in the vast and thinly peopled Further West; and there is no gendarmerie because the Federal government leaves the States to create their own, and unsettled Western communities, being well armed, prefer to take care of themselves rather than spend their scanty corporate funds on a task whose cost would, as they think, be disproportionate to the result.° In the western wilds of Canada, however, the mounted police secures perfect safety for wayfarers, and train-robberies seem to be unknown.

Lynch law is not unknown in more civilized regions, such as Indiana and Illinois. A case occurred recently not far from New York City. Now lynch law, however shocking it may seem to Europeans and New Englanders, is far removed from arbitrary violence. According to the testimony of careful observers, it is not often abused, and its proceedings are generally conducted with some regularity of form as well as fairness of spirit. What are the circumstances? Those highly technical rules of judicial procedure and still more technical rules of evidence which America owes to the English common law, and which have in some States retained antiquated minutiæ now expunged from English practice, or been rendered by new legislation too favourable to prisoners, have to be applied in districts where population is thin, where there are very few officers, either for the apprehension of offenders, or for the hunting up of evidence against them, and where, according to common belief, both judges and juries are occasionally "squared" or "got at." Many crimes would go unpunished if some more speedy and efficient method of dealing with them were not adopted. This method is found in a volunteer jury, summoned by the leading local citizens, or in very clear cases, by a simple seizure and execution of the criminal.° Why not create an efficient police? Because crime is uncommon in many districts — in such districts, for instance, as Michigan or rural Wisconsin — and the people have deliberately concluded that it is cheaper and simpler to take the law into their own hands on those rare occasions when a police is needed than to be at the trouble of organizing and paying a force for which there is usually no employment. If it be urged

that they are thus forming habits of lawlessness in themselves, the Americans reply that experience does not seem to make this probable, because lawlessness does not increase among the farming population, and has disappeared from places where the rudeness or simplicity of society formerly rendered lynch law necessary. Cases however occur for which no such excuse can be offered, cases in which a prisoner (probably a negro) already in the hands of justice is seized and put to death by a mob. Some years ago there was in several States, and notably in parts of southern Indiana, — a rough, wooded country, with a backward and scattered population, — a strange recrudescence of lynching in the rise of the so-called White Caps,° people who seized by night men or women who had given offence by their immoral life or other vices, dragged them into the woods, flogged them severely, and warned them to quit the neighbourhood forthwith. Similar outrages are often reported from other States to the south-west of Indiana, as far as Mississippi. In Ohio they were promptly repressed by an energetic governor. In 1908–9 disputes connected with the alleged attempt by a powerful corporation to create a monopoly in the purchasing of tobacco for manufacture led to a series of nocturnal outrages by armed men who sought, by whipping or killing those farmers who refused to join them in their resistance to the attempts referred to, to coerce the tobacco growers into joining that organized resistance. These Night Riders° gave great trouble in Kentucky and parts of Tennessee, though the Governor took vigorous measures against them.

The so-called "Molly Maguire"° conspiracy, which

vexed and terrified Pennsylvania for several years, showed the want of a vigorous and highly trained police. A sort of secret society organized a succession of murders, much like the Italian Camorra,° which remained undetected till a daring man succeeded in persuading the conspirators to admit him among them. He shared their schemes, and learnt to know their persons and deeds, then turned upon them and brought them to justice. This remarkable case illustrates not any neglect of law or tenderness for crime, but mainly the power of a combination which can keep its secrets. Once detected, the Molly Maguires were severely dealt with. The Pittsburg riots of 1877,° and the Cincinnati riots of 1884,° and the Chicago troubles of 1894° alarmed the Americans themselves, so long accustomed to domestic tranquillity as to have forgotten those volcanic forces which lie smouldering in all ignorant masses, ready to burst forth upon sufficient excitement. The miners and iron-workers of the Pittsburg district are rough fellows, many of them recent immigrants who have not yet acquired American habits of order; nor would there have been anything to distinguish the Pennsylvanian disturbance from those which happen during strikes in England, as, for instance, at Blackburn, in Lancashire and, later, during a coal strike at one or two places in Yorkshire and Derbyshire, or in times of distress in France, as at Decazeville in 1886, had there been a prompt suppression. Unfortunately there was in 1877 no proper force on the spot. The governor was absent; the mayor and other local authorities lost their heads; the police, feebly handled, were overpowered; the militia showed weakness; so that the riot spread in a

way which surprised its authors, and the mob raged for several days along the railroads in several States, and over a large area of manufacturing and mining towns.

The moral of this event was the necessity, even in a land of freedom, of keeping a force strong enough to repress tumults in their first stage. The Cincinnati riot began in an attempt to lynch two prisoners who were thought likely to escape the punishment they richly deserved; and it would probably have ended there had not the floating rabble of this city of 300,000 inhabitants seized the opportunity to do a little pillage and make a great noise on their own account. Neither sedition had any political character, nor indeed any specific object, except that the Pennsylvanian mob showed special enmity to the railroad company.

In 1892 the same moral was enforced by the strike riots on some of the railroads in New York State and in the mining regions of Idaho, by the local wars between cattlemen and "rustlers"° in Wyoming, by the disturbances at the Homestead works in Pennsylvania, and by the sanguinary conflict which arose at the convict-worked mines in Tennessee, where a mob of miners attacked the stockades in which were confined convicts kept at labour under contracts between the State and private mine owners, liberated many of the convicts, captured and were on the point of hanging an officer of the State militia, and were with difficulty at last repressed by a strong militia force. The riots at Chicago in 1894 and the more protracted strife between mine owners and striking miners in Colorado somewhat later are other instances. Such tumults are not specially products of democracy, but they are unhappily proofs

that democracy does not secure the good behaviour of its worse and newest citizens, and that it must be prepared, no less than other governments, to maintain order by the prompt and stern application of physical force.°

It was a regrettable evidence of the extent to which public authorities have seemed to abnegate the function of maintaining order that the habit grew up among railroad directors and the owners of other large enterprises of hiring a private armed force to protect, at the time of a strike, not only the workmen they bring in to replace the strikers, but also their yards, works, and stock in trade. A firm which began business as a private detective agency was for years accustomed to supply for this purpose bodies of men well trained and drilled, who could be relied on to defend the place allotted to them against a greatly superior force of rioters. This firm used to keep not less than one thousand men permanently on a war footing, and sent them hither and thither over the country to its customers. They were usually sworn in as Sheriff's deputies, on each occasion before the proper local authority. So frequent had been the employment of "Pinkerton's men," as they are called (though it is not always from Messrs. Pinkerton of Chicago that they are obtained, and the name, like "Delmonico," for a restaurant, seems to be passing from a proper into a common noun), that some new State constitutions (*e.g.* Wyoming, Idaho, Montana, Washington, Kentucky) and statutes in other States (*e.g.* Massachusetts) expressly prohibit the bringing of armed men into the State, and a Committee of Congress was set to investigate the subject, so far without result, for

it is going a long way to forbid a man by statute to hire persons to help him to protect his property when he finds it in danger. These strike cases are of course complicated by the reluctance of a State governor or a mayor to incur unpopularity by taking strong measures against a crowd who have votes. Here we touch a difficulty specially incident to a directly elected Executive, — a difficulty noted already in the cases of elected judges and elected tax-officers, and one which must be taken into account in striking the balance between the good and the evil of a system of direct and pervading popular control. The remedy is in extreme cases found in the displeasure of the good citizens, who, after all, form the voting majority. But it is a remedy which may follow with too tardy steps. Meantime, many large employers of labour find themselves obliged to defend their property by these condottieri,° because they cannot rely on the defence which the State ought to furnish, and the condottieri themselves, who seem to be generally men of good character as well as proved courage, are so much hated by the workmen° as to be sometimes in danger of being lynched when found alone or in small parties.

In some States not a few laws are systematically ignored or evaded, sometimes by the connivance of officials who are improperly induced to abstain from prosecuting transgressors, sometimes with the general consent of the community which perceives that they cannot be enforced. Thus some years ago the laws against the sale of liquor on Sundays in the city of Chicago were not enforced. The German and Irish part of the population disliked them, and showed its dislike by turning out of the municipal offices those who had enforced them, while yet the

law remained on the statute-book because, according to the Constitution of Illinois, it took a majority of two-thirds in the legislature to repeal an Act; and the rural members, being largely Prohibitionists, stood by this law against Sunday dealing. When in Texas I heard of the same thing as happening in the city of San Antonio, and doubt not that it occurs in many cities. More laws are quietly suffered to be broken in America than in England, France, or Germany. On the other hand, it is fair to say that the credit which the New Englanders used to claim of being a law-abiding people is borne out by the general security of property and person which, apart from the cases mentioned above, and especially from strike troubles, the traveller remarks over the rural parts of the Eastern and Middle States.° Political disturbances (other than occasional collisions between whites and negroes) are practically unknown. Even when an election is believed to have been fraudulently won, the result is respected, because it is externally regular. Fights seldom occur at elections; neither party disturbs the meetings or processions of the other in the hottest presidential campaign. To Americans the habit of letting opponents meet and talk in peace seems essential to a well-ordered free government.

The habit of obedience to constituted authority is another test, and one which Plato would have considered specially conclusive. The difficulty of applying it in America is that there are so few officials who come into the relation of command with the people, or in other words, that the people are so little "governed," in the French or German sense, that one has few opportunities of discovering how they comport themselves.

The officers of both the Federal and the State governments, in levying taxes and carrying out the judgments of the Courts, have seldom any resistance to fear, except in such regions as those already referred to, where the fierce mountaineers will not brook interference with their vendetta, or suffer the Federal excisemen to do their duty. These regions are, however, quite exceptional, forming a sort of *enclave*° of semi-barbarism in a civilized country, such as the rugged Albania° was in the Roman Empire. Other authorities experience no difficulty in making themselves respected. A railroad company, for instance, finds its passengers only too submissive. They endure with a patience which astonishes Englishmen frequent irregularities of the train service and other discomforts, which would in England produce a whole crop of letters to the newspapers. The discipline of the army and navy is in war time nearly as strict as in European armies. So in universities and colleges discipline is maintained with the same general ease and the same occasional troubles as arise in Oxford and Cambridge. The children in the city schools are proverbially docile. Except when strikes occur, employers do not complain of any trouble in keeping order among their work-people while at work. So far, indeed, is insubordination from being a characteristic of the native Americans, that they are conspicuously the one free people of the world which, owing to its superior intelligence, has recognized the permanent value of order, and observes it on every occasion, not least when a sudden alarm arises. Anarchy is of all dangers or bugbears the one which the modern world has least cause to fear, for the tendency of ordinary human nature to

obey is the same as in past times, and the aggregation of human beings into great masses weakens the force of the individual will, and makes men more than ever like sheep, so far as action is concerned. Much less, therefore, is there ground for fancying that out of anarchy there will grow any tyranny of force. Whether democracies may not end in yielding greater power to their executives is quite another question, whereof more anon; all I observe here is that in no country can a military despotism, such as that which has twice prevailed in France and once in England, be deemed less likely to arise. During the Civil War there were many persons in Europe cultivating as Gibbon° says, the name without the temper of philosophy, who predicted that some successful leader of the Northern armies would establish his throne on the ruins of the Constitution. But no sooner had General Lee° surrendered at Appomattox° than the disbandment of the victorious host began; and the only thing which thereafter distinguished Generals Grant, Sherman, and Sheridan° from their fellow-citizens was the liability to have "receptions" forced on them when they visited a city, and find their puissant arms wearied by the handshakings of their enthusiastic admirers.

Cæsarism° is the last danger likely to menace America. In no nation is civil order more stable. None is more averse to the military spirit. No political system would offer a greater resistance to an attempt to create a standing army or centralize the administration.

Jealousy of Greatness, and a Desire to Level Down. — This charge derives a claim to respectful consideration from the authority of Tocqueville,° who thought it a

necessary attribute of democracy, and professed to have discovered symptoms of it in the United States. It alarmed J. S. Mill,° and has been frequently dwelt on by his disciples, and by many who have adopted no other part of his teachings, as an evil equally inevitable and fatal in democratic countries. There was probably good ground for it in 1830. Even now one discovers a tendency in the United States, particularly in the West, to dislike, possibly to resent, any outward manifestation of social superiority. A man would be ill looked upon who should build a castle in a park, surround his pleasure-grounds with a high wall, and receive an exclusive society in gilded drawing-rooms. One of the parts which prominent politicians, who must be assumed to know their business, most like to play is the part of Cincinnatus° at the plough, or Curius Dentatus° receiving the Samnite envoys over his dinner of turnips. They welcome a newspaper interviewer at their modest farm, and take pains that he should describe how simply the rooms are furnished, and how little "help" (*i.e.* how few servants) is kept. Although the cynics of the New York press make a mock of such artless ways, the desired impression is produced on the farmer and the artisan. At a senatorial election some time ago in a North-western State, the opponents of the sitting candidate procured a photograph of his residence in Washington, a handsome mansion in a fashionable avenue, and circulated it among the members of the State legislature, to show in what luxury their Federal representative indulged. I remember to have heard it said of a statesman proposing to become a candidate for the Presidency, that he did not venture during the preced-

ing year to occupy his house in Washington, lest he should give occasion for similar criticism. Whether or not this was his real motive, the attribution of it to him is equally illustrative. But how little the wealthy fear to display their wealth and take in public the pleasures it procures may be understood by any one who, walking down Fifth Avenue in New York, observes the superb houses which line it, houses whose internal decorations and collected objects of art rival those of the palaces of European nobles, or who watches in Newport, one of the most fashionable of summer resorts, the lavish expenditure upon servants, horses, carriages, and luxuries of every kind. No spot in Europe conveys an equal impression of the lust of the eyes and the pride of life, of boundless wealth and a boundless desire for enjoyment, as does the Ocean Drive at Newport° on an afternoon in August.

Intellectual eminence excites no jealousy, though it is more admired and respected than in Europe. The men who make great fortunes — and their number as well as the scale of their fortunes increases — are regarded not so much with envy, as with admiration. "When thou doest good unto thyself, all men shall speak well of thee." Wealth does not always, as in England, give its possessors an immediate *entrée*° to fashionable society, but it marks them as the heroes and leaders of the commercial world, and sets them on a pinnacle of fame which fires the imagination of ambitious youths in dry goods stores or traffic clerks on a railroad. The demonstrations of hostility to wealthy "monopolists," and especially to railroad companies, and the magnates of the Trusts, are prompted, not by

hatred to prominence or wealth but by discontent at the immense power which capitalists exercise, especially in the business of transporting goods, and which they have frequently abused.

Tyranny of the Majority. — Of this I have spoken in a previous chapter,° and need only summarize the conclusions there arrived at. So far as compulsive legislation goes, it has never been, and is now less than ever, a serious or widespread evil. The press is free to advocate unpopular doctrines, even the most brutal forms of anarchism. Religious belief and practices are untouched by law. The sale of intoxicants is no doubt in many places restricted or forbidden, but to assume that this is a tyrannical proceeding is to beg a question on which the wise are much divided. The taxation of the rich for the benefit of the poor offers the greatest temptation to a majority disposed to abuse its powers. But neither Congress nor the State legislatures have, with a very few exceptions, gone any farther in this direction than the great nations of Europe. If such abstention from legislative tyranny be held due, not to the wisdom and fairness of the American democracy, but to the restraints which the Federal and State constitutions impose upon it, the answer is — Who impose and maintain these restraints? The people themselves, who deserve the credit of desiring to remove from their own path temptations which might occasionally prove irresistible. It is true that the conditions have been in some points exceptionally favourable. Class hatreds are absent. The two great national parties are not class parties, for, if we take the country as a whole, rich and poor are fairly represented in both of these parties.

Neither proposes to overtax the rich. Both denounce monopolism in the abstract, and promise to restrain capital from abusing its power, but neither is more forward than the other to take practical steps for such a purpose, because each includes capitalists whose contributions the party needs, and each includes plenty of the respectable and wealthy classes. Party divisions do not coincide with social or religious divisions, as has often happened in Europe.

Moreover, in State politics — and it is in the State rather than in the Federal sphere that attacks on a minority might be feared — the lines on which parties act are fixed by the lines which separate the national parties, and each party is therefore held back from professing doctrines which menace the interests of any class. The only exceptions occur where some burning economic question supersedes for the moment the regular party attachments. This happened in California, with the consequences already described. It came near happening in two or three of the North-western States, such as Illinois and Wisconsin, where the farmers, organized in their Granges or agricultural clubs, caused the legislatures to pass statutes which bore hardly on the railroads and the owners of elevators and grain warehouses. Similar attempts were more recently made by the Populists° and must from time to time be expected. Yet even this kind of legislation can scarcely be called tyrannical. It is an attempt, however clumsy and abrupt, to deal with a real economical mischief, not an undue extension of the scope of legislation to matters in which majorities ought not to control minorities at all.

Love of Novelty; Passion for Destroying Old Institutions. — It is easy to see how democracies have been credited with this tendency. They have risen out of oligarchies or aristocratic monarchies, the process of their rise coinciding, if not always with a revolution, at least with a breaking down of many old usages and institutions. It is this very breaking down that gives birth to them. Probably some of the former institutions are spared, are presently found incompatible with the new order of things, and then have to be changed till the people has, so to speak, furnished its house according to its taste. But when the new order has been established, is there any ground for believing that a democracy is an exception to the general tendency of mankind to adhere to the customs they have formed, admire the institutions they have created, and even bear the ills they know rather than incur the trouble of finding some way out of them? The Americans are not an exception. They value themselves only too self-complacently on their methods of government; they abide by their customs, because they admire them. They love novelty in the sphere of amusement, literature, and social life; but in serious matters, such as the fundamental institutions of government and in religious belief, no progressive and civilized people is more conservative.

Liability to be misled; Influence of Demagogues. — No doubt the inexperience of the recent immigrants, the want of trained political thought among the bulk even of native citizens, the tendency to sentimentalism which marks all large masses of men, do lay the people open to the fallacious reasoning and specious persuasions of adventurers. This happens in all popularly governed

countries; and a phenomenon substantially the same occurs in oligarchies, for you may have not only aristocratic demagogues, but demagogues playing to an aristocratic mob. Stripped of its externals and considered in its essential features, demagogism is no more abundant in America than in England, France, or Italy. Empty and reckless declaimers, such as were some of those who figured in the Granger and Populist movements (for sincere and earnest men have shared in both), are allowed to talk themselves hoarse, and ultimately relapse into obscurity. A demagogue of greater talent may aspire to some high executive office; if not to the Presidency, then perhaps to a place in the Cabinet, where he may practically pull the wires of a President whom he has put into the chair. Failing either of these, he aims at the governorship of his State or the mayoralty of a great city. In no one of these positions is it easy for him to do permanent mischief. The Federal executive has no influence on legislation, and even in foreign policy and in the making of appointments requires the consent of the Senate. That any man should acquire so great a hold on the country as to secure the election of two Houses of Congress subservient to his will, while at the same time securing the Presidency or Secretaryship of State for himself, is an event too improbable to enter into calculation. Nothing approaching it has been seen since the days of Jackson. The size of the country, the differences between the States, a hundred other causes, make achievements possible enough in a European country all but impossible here. That a plausible adventurer should clamber to the presidential chair, and when seated there should conspire with a corrupt con-

gressional ring, purchasing by the gift of offices and by jobs their support for his own schemes of private cupidity or public mischief, is conceivable, but improbable. The system of counterchecks in the Federal government, which impedes or delays much good legislation, may be relied on to avert many of the dangers to which the sovereign chambers of European countries are exposed.

A demagogue installed as governor of a State — and it is usually in State politics that demagogism appears — has but limited opportunities for wrong-doing. He can make a few bad appointments, and can discredit the commonwealth by undignified acts. He cannot seriously harm it. Two politicians who seemed to deserve the title obtained that honourable post in two great Eastern States. One of them, a typical "ringster," perpetrated some jobs, tampered with some elections, and vetoed some good bills. Venturing too far, he at last involved his party in an ignominious defeat. The other, a man of greater natural gifts and greater capacity for mischief, whose capture of the chief magistracy of the State had drawn forth lamentations from the better citizens, left things much as he found them, and the most noteworthy incident which marked his year of office — for he was turned out at the next election — was the snub administered by the leading university in the State, which refused him the compliment, usually paid to the chief magistrate, of an honorary degree of Doctor of Laws.

This inquiry has shown us that of the faults traditionally attributed to democracy one only is fairly chargeable on the United States; that is to say, is manifested there more conspicuously than in the constitutional

monarchies of Europe. This is the disposition to be lax in enforcing laws disliked by any large part of the population, to tolerate breaches of public order, and to be too indulgent to offenders generally. The Americans themselves admit this to be one of their weak points. How far it is due to that deficient reverence for law which is supposed to arise in popular governments from the fact that the people have nothing higher than themselves to look up to, how far to the national easy-goingness and good-nature, how far to the prejudice against the maintenance of an adequate force of military and police and to the optimism which refuses to recognize the changes brought by a vast increase of population, largely consisting of immigrants, these are points I need not attempt to determine. It has produced no general disposition to lawlessness, which rather tends to diminish in the older parts of the country. And it is sometimes (though not always) replaced in a serious crisis by a firmness in repressing disorders which some European governments may envy. Men who are thoroughly awakened to the need for enforcing the law, enforce it all the more resolutely because it has the whole weight of the people behind it.

THE TRUE FAULTS OF AMERICAN DEMOCRACY[1]

We have seen that the defects commonly attributed to democratic government are not specially characteristic of the United States. It remains to enquire what are the peculiar blemishes which the country does show. So far as regards the constitutional machinery of the Federal and of the State government this question has been answered in earlier chapters. It is now rather the tendency of the institutions generally, the disposition and habits of the governing people, that we have to consider. The word Democracy is often used to mean a spirit or tendency, sometimes the spirit of revolution, sometimes the spirit of equality. For our present purpose it is better to take it as denoting simply a form of government, that in which the numerical majority rules, deciding questions of state by the votes, whether directly, as in the ancient republics, or mediately, as in modern representative government, of the body of citizens, the citizens being, if not the whole, at least a very large proportion of the adult males. The enquiry may begin with the question, What are the evils to which such a form of government is by its nature exposed? and may then proceed to ascertain whether any other defects exist in the United States government which, though traceable to democracy, are not of its essence, but due to the particular form which it has there taken.

[1] *The American Commonwealth*, Chapter CI.

It is an old maxim that republics live by Virtue — that is, by the maintenance of a high level of public spirit and justice among the citizens. If the republic be one in which power is confined to, or practically exercised by, a small educated class, the maintenance of this high level is helped by the sense of personal dignity which their position engenders. If the republic itself be small, and bear rule over others, patriotism may be intense, and the sense of the collective dignity of the state may ennoble the minds of the citizens, make them willing to accept sacrifices for its sake, to forego private interests and suppress private resentments, in order to be strong against the outer world. But if the state be very large, and the rights of all citizens equal, we must not expect them to rise above the average level of human nature. Rousseau and Jefferson will tell us that this level is high, that the faults which governments have hitherto shown are due to the selfishness of privileged persons and classes, that the ordinary unsophisticated man will love justice, desire the good of others, need no constraint to keep him in the right path. Experience will contradict them, and whether it talks of Original Sin or adopts some less scholastic phrase, will recognize that the tendencies to evil in human nature are not perhaps as strong, but as various and abiding even in the most civilized societies, as its impulses to good. Hence the rule of numbers means the rule of ordinary mankind without those artificial helps which their privileged position has given to limited governing classes, though also, no doubt, without those special temptations which follow in the wake of power and privilege.

Since every question that arises in the conduct of

government is a question either of ends or of means, errors may be committed by the ruling power either in fixing on wrong ends or in choosing wrong means to secure those ends. It is now, after long resistance by those who maintained that they knew better what was good for the people than the people knew themselves, at last agreed that as the masses are better judges of what will conduce to their own happiness than are the classes placed above them, they must be allowed to determine ends. This is in fact the essence of free or popular government, and the justification for vesting power in numbers. But assuming the end to be given, who is best qualified to select the means for its accomplishment? To do so needs in many cases a knowledge of the facts, a skill in interpreting them, a power of forecasting the results of measures, unattainable by the mass of mankind. Such knowledge is too high for them. It is attainable only by trained economists, legists, statesmen. If the masses attempt it they will commit mistakes not less serious than those which befall a litigant who insists on conducting a complicated case instead of leaving it to his attorney and counsel. But in popular governments this distinction between ends and means is apt to be forgotten. Often it is one which cannot be sharply drawn, because some ends are means to larger ends, and some means are desired not only for the sake of larger ends, but for their own sakes also. And the habit of trusting its own wisdom and enjoying its own power, in which the multitude is encouraged by its leaders and servants, disposes it to ignore the distinction even where the distinction is clear, and makes it refer to the direct arbitrament of the people matters which

the people are unfit to decide, and which they might safely leave to their trained ministers or representatives. Thus we find that the direct government of the multitude may become dangerous not only because the multitude shares the faults and follies of ordinary human nature, but also because it is intellectually incompetent for the delicate business of conducting the daily work of administration, *i.e.* of choosing and carrying out with vigour and promptitude the requisite executive means. The People, though we think of a great entity when we use the word, means nothing more than so many millions of individual men. There is a sense in which it is true that the people are wiser than the wisest man. But what is true of their ultimate judgment after the lapse of time sufficient for full discussion, is not equally true of decisions that have to be promptly taken.

What are the consequences which we may expect to follow from these characteristics of democracy and these conditions under which it is forced to work?

First, a certain commonness of mind and tone, a want of dignity and elevation in and about the conduct of public affairs, an insensibility to the nobler aspects and finer responsibilities of national life.

Secondly, a certain apathy among the luxurious classes and fastidious minds, who find themselves of no more account than the ordinary voter, and are disgusted by the superficial vulgarities of public life.

Thirdly, a want of knowledge, tact, and judgment in the details of legislation, as well as in administration, with an inadequate recognition of the difficulty of these kinds of work, and of the worth of special experience and skill in dealing with them. Because it is incom-

petent, the multitude will not feel its incompetence, and will not seek or defer to the counsels of those who possess the requisite capacity.

Fourthly, laxity in the management of public business. The persons entrusted with such business being only average men, thinking themselves and thought of by others as average men, and not rising to a due sense of their responsibilities, may succumb to the temptations which the control of legislation and the public funds present, in cases where persons of a more enlarged view and with more of a social reputation to support would remain incorruptible. To repress such derelictions of duty is every citizen's duty, but for that reason it is in large communities apt to be neglected. Thus the very causes which implant the mischief favour its growth.

The above-mentioned tendencies are all more or less observable in the United States. As each of them has been described already in its proper place, a summary reference may here be sufficient to indicate their relation to the democratic form of government and to the immanent spirit or theory which lies behind that form.

The tone of public life is lower than one expects to find it in so great a nation. Just as we assume that an individual man will at any supreme moment in his own life rise to a higher level than that on which he usually moves, so we look to find those who conduct the affairs of a great state inspired by a sense of the magnitude of the interests entrusted to them. Their horizon ought to be expanded, their feeling of duty quickened, their dignity of attitude enhanced. Human nature with all its weaknesses does show itself capable of being thus roused on its imaginative side; and in Europe, where the

traditions of aristocracy survive, everybody condemns as mean or unworthy acts done or language held by a great official which would pass unnoticed in a private citizen. It is the principle of *noblesse oblige*° with the sense of duty and trust substituted for that of mere hereditary rank.

Such a sentiment is comparatively weak in America. A cabinet minister, or senator, or governor of a State, sometimes even a President, has sometimes felt himself scarcely more bound by it than the director of a railway company or the mayor of a town does in Europe. In order to avoid the assumption of being individually wiser or better than his fellow-citizens, he has been apt to act and speak as though he were simply one of them, and so far from magnifying his office and making it honourable, seems anxious to show that he is the mere creature of the popular vote, so filled by the sense that it is the people and not he who governs as to fear that he should be deemed to have forgotten his personal insignificance. There is in the United States abundance of patriotism, that is to say, of a passion for the greatness and happiness of the Republic, and a readiness to make sacrifices for it. The history of the Civil War showed this passion at least as strong as in England or France. There is no want of an appreciation of the collective majesty of the nation, for this is the theme of incessant speeches, nor even of the past and future glories of each particular State in the Union. But these sentiments do not bear their appropriate fruit in raising the conception of public office, of its worth and its dignity. The newspapers assume public men to be selfish and cynical. Disinterested virtue is not looked for, is perhaps turned

into ridicule where it exists. The hard commercial spirit which pervades the meetings of a joint-stock company is the spirit in which most politicians speak, and are not blamed for speaking, of public business. Something, especially in the case of newspapers, must be allowed for the humorous tendencies of the American mind, which likes to put forward the absurd and even vulgar side of things for the sake of getting fun out of them. But after making such allowances, the fact remains that, although no people is more emotional, and even in a sense more poetical, in no country has the ideal side of public life, what one may venture to call the heroic element in a public career, been so ignored by the mass and repudiated by the leaders. This has affected not only the elevation but the independence and courage of public men; and the country has suffered from the want of what we call distinction in its conspicuous figures.°

I have discussed in a previous chapter the difficulties which surround the rule of public opinion where it allows little discretion to its agents, relying upon its own competence to supervise administration and secure the legislation which a progressive country needs. The American masses have been obliged, both by democratic theory and by the structure of their government, to proceed upon the assumption of their own competence. They have succeeded better than could have been expected. No people except the choicest children of England, long trained by the practice of local self-government at home and in the colonies before their revolt, could have succeeded half so well. Nevertheless the masses of the United States as one finds them to-day show what

are the limitations of the average man. They can deal with broad and simple issues, especially with issues into which a moral element enters. They spoke out with a clear strong voice upon slavery, when at last it had become plain that slavery must either spread or vanish, and threw themselves with enthusiasm into the struggle for the Union. Their instinctive dislike for foreign complications as well as for acquisitions of new territory have from time to time checked unwise attempts to incur needless responsibilities. Their sense of national and commercial honour has defeated more than one mischievous scheme for tampering with the public credit. But when a question of intricacy presents itself, requiring either keen foresight, exact reasoning, or wide knowledge, they are at fault. Questions relating to currency and coinage, free trade and protection, improvements in the machinery of constitutions or of municipal governments, the control by the law of corporations and still more of Trusts, the method of securing purity of elections, the reform of criminal procedure in the State courts, these are problems which long baffled, and some of which seem still to baffle them, just as the Free Soil question did before the war or the reconstruction of the revolted Southern States for a long time after it. In those two instances a solution came about, but in the former it was not so much effected by the policy of the people or their statesmen as forced on them by events, in the latter it left grave evils behind.

Is this a defect incidental to all popular governments, or is there anything in the American system specially calculated to produce it?

A state must of course take the people as it finds them,

with such elements of ignorance and passion as exist in masses of men everywhere. Nevertheless, a representative or parliamentary system provides the means of mitigating the evils to be feared from ignorance or haste, for it vests the actual conduct of affairs in a body of specially chosen and presumably specially qualified men, who may themselves entrust such of their functions as need peculiar knowledge or skill to a smaller governing body or bodies selected in respect of their more eminent fitness. By this method the defects of democracy are remedied, while its strength is retained. The masses give their impulse to the representatives: the representatives, directed by the people to secure certain ends, bring their skill and experience to bear on the choice and application of the best means. The Americans, however, have not so constructed or composed their representative bodies as to secure a large measure of these benefits. The legislatures are disjoined from the administrative offices. The members of legislatures are not selected for their ability or experience, but are, two-thirds of them, little above the average citizen, being in many places so chosen as to represent rather the local machine than the people. They are not much respected or trusted, and finding no exceptional virtue expected from them, they behave as ordinary men do when subjected to temptations. The separation of the executive from the legislature is a part of the constitutional arrangements of the country, and has no doubt some advantages. The character of the legislatures is due to a mistaken view of human equality and an exaggerated devotion to popular sovereignty. It is a result of democratic theory pushed to extremes, but

is not necessarily incident to a democratic government. The government of England, for instance, has now become substantially a democracy, but there is no reason why it should imitate America in either of the points just mentioned; nor does democratic France, apt enough to make a bold use of theory, seem to have pushed theory to excess in these particular directions. I do not, however, deny that a democratic system makes the people self-confident, and that self-confidence may easily pass into a jealousy of delegated power, an undervaluing of skill and knowledge, a belief that any citizen is good enough for any political work. This is perhaps more likely to happen with a people who have really reached a high level of political competence: and so one may say that the American democracy is not better just because it is so good. Were it less educated, less shrewd, less actively interested in public affairs, less independent in spirit, it might be more disposed, like the masses in Europe, to look up to the classes which have hitherto done the work of government. So perhaps the excellence of rural local self-government has lowered the conception of national government. The ordinary American farmer or shopkeeper or artisan bears a part in the local government of his township or village, or county, or small municipality. He is quite competent to discuss the questions that arise there. He knows his fellow-citizens, and can, if he takes the trouble, select the fittest of them for local office. No high standard of fitness is needed, for the work of local administration can be adequately despatched by any sensible man of business habits. Taking his ideas from this local government, he images Congress to himself

as nothing more than a larger town council or board of county commissioners, the President and his Cabinet as a sort of bigger mayor and city treasurer and education superintendent; he is therefore content to choose for high Federal posts such persons as he would elect for these local offices. They are such as he is himself; and it would seem to him a disparagement of his own civic worth were he to deem his neighbours, honest, shrewd, hard-working men, unfit for any places in the service of the Republic.

A European critic may remark that this way of presenting the case ignores the evils and losses which defective government involves. "If," he will say, "the mass of mankind possesses neither the knowledge nor the leisure nor the skill to determine the legislation and policy of a great state, will not the vigour of the commonwealth decline and its resources be squandered? Will not a nation ruled by its average men in reliance on their own average wisdom be overtaken in the race of prosperity or overpowered in a warlike struggle by a nation of equal resources which is guided by its most capable minds?" The answer to this criticism is that America has hitherto been able to afford to squander her resources, and that no other state threatens her. With her wealth and in her position she can with impunity commit errors which might be fatal to the nations of Western Europe.

The comparative indifference to political life of the educated and wealthy classes which is so much preached at by American reformers and dwelt on by European critics is partly due to this attitude of the multitude. These classes find no smooth and easy path lying before them. Since the masses do not look to them for

guidance, they do not come forward to give it. If they wish for office they must struggle for it, avoiding the least appearance of presuming on their social position. I think, however, that the abstention of the upper class is largely ascribable to causes, set forth in a previous chapter, that have little to do with democracy, and while believing that the United States have suffered from this abstention, do not regard it as an inseparable incident of their government. Accidental causes, such as the Spoils System,° which is a comparatively recent distemper, already partially eliminated, have largely contributed to it.

The Spoils System reminds us of the Machine and the whole organization of Rings and Bosses. This ugliest feature in the politics of the country could not have grown up save under the rule of the multitude; and some of the arrangements which have aided its growth, such as the number and frequency of elections, have been dictated by what may be called the narrow doctrinairism° of an irreflective democratic theory. It is not, however, necessarily incident to popular government, but is in America due to peculiar conditions which might be removed without rendering the government less truly popular. The city masses may improve if immigration declines; offices may cease to be the reward of party victory; the better citizens may throw themselves more actively into political work.

The many forms in which wealth displays its power point to a source of evil more deep-seated than the last, and one which, though common to all governments, is especially dangerous in a democracy. For democracy, in relying on the average citizen, relies on two things,

the personal interest which he has in good government and the public virtue which makes him desire it for the sake of the community. Wealth, skilfully used, can overcome the former motive, because the share of the average man in the State is a small one, less than the gain by which wealth may tempt him. As for virtue, the average man's standard depends on the standard maintained by the public opinion of other average men. Now the sight of wealth frequently prevailing over the sense of duty, with no punishment following, lowers this standard, and leads opinion to accept as inevitable what it knows to be harmful, till only some specially audacious offender stirs the public wrath. Under arbitrary governments one expects a low level of honour in officials, because they are not responsible to the people, and in the people, because they have no power. One looks for renovation to freedom, and struggles for freedom accordingly. If similar evils appear under a government which is already free, the remedy is less obvious and the prospect darker.

Such corruption as exists in the United States will not, however, be ascribed to its democratic government by any one who remembers that corruption was rife in the English Parliament in the days of Walpole,° in English constituencies very much later, and now prevails not only in an almost absolutist State like Russia but also (less widely) in some other European monarchies. There are diseases which attack the body politic, like the natural body, at certain stages of growth, but disappear when a nation has passed into another stage, or when sedulous experimentation has discovered the appropriate remedy. The corruption of Parliament in Sir Robert

Walpole's days characterized a period of transition when power had passed to the House of Commons, but the control of the people over the House had not yet been fully established, and when, through a variety of moral causes, the tone of the nation was comparatively low. The corruption of the electorate in English boroughs° appeared when a seat had become an object of desire to rich men, while yet the interest of the voters in public affairs was so feeble that they were willing to sell their votes, and their number often so small that each vote fetched a high price. The growth of intelligence and independence among the people, as well as the introduction of severe penalties for bribery, and the extinction of small constituencies, have now almost extinguished electoral corruption. Similar results may be expected in American constituencies from the better ballot and election laws now being enacted.

It is not, however, only in the way of bribery at popular elections that the influence of wealth is felt. In some places it taints the election of Federal senators by State legislatures. In others it induces officials who ought to guard the purity of the ballot box to tamper with returns. It is always trying to procure legislation in the interests of commercial undertakings. It supplies the funds for maintaining party organizations and defraying the enormous costs of electoral campaigns, and demands in return sometimes a high administrative post, sometimes a foreign mission, sometimes favours for a railroad, sometimes a clause in a tariff bill, sometimes a lucrative contract. Titles and ribands it cannot, as in Europe, demand, for these the country happily knows not; yet these would be perhaps less harmful

than the recompenses it now obtains. One thing alone it can scarcely ever buy, — impunity for detected guilt. The two protections which the people retain are criminal justice, and the power, when an election comes, of inflicting condign chastisement not only on the men over whose virtue wealth has prevailed, but even over the party in State, or nation, which they have compromised. Thus the money power is held at bay, and though cities have suffered terribly, and national interests seriously, the general tone of public honour seems to be rather rising than falling. It would, I think, rise faster but for the peculiar facilities which the last few years have revealed for the action of great corporations, wielding enormous pecuniary resources, but keeping in the background the personality of those who direct these resources for their own behoof.

Of the faults summarized in this chapter, other than the influence of wealth, those which might seem to go deepest, because they have least to do with the particular constitutional arrangements of the country, and are most directly the offspring of its temper and habits, are the want of dignity in public life, prominence of inferior men, and the absence of distinguished figures. The people are good, but not good enough to be able to dispense with efficient service by capable representatives and officials, wise guidance by strong and enlightened leaders. There is too little of good serving and good leading.

If it were clear that these are the fruits of liberty and equality, the prospects of the world would be darker than we have been wont to think them. They are, however, the fruits not of liberty and equality, but of an

optimism which has underrated the inherent difficulties of politics and inherent failings of human nature, of a theory which has confused equality of civil rights and duties with equality of capacity, and of a thoughtlessness which has forgotten that the problems of the world and the dangers which beset society are always putting on new faces and appearing in new directions. The Americans started their Republic with a determination to prevent abuses of power such as they had suffered from the British Crown. Freedom seemed the one thing necessary; and freedom was thought to consist in cutting down the powers of legislatures and officials. Freedom was the national boast during the years that followed down till the Civil War; and in the delight of proclaiming themselves superior in this regard to the rest of the world they omitted to provide themselves with further requisites for good government, and forgot that power may be abused in other ways than by monarchic tyranny or legislative usurpation. They continued to beat the drum along the old ramparts erected in 1776 and 1789 against George III., or those who might try to imitate him, when the enemy had moved quite away from that side of the position, and was beginning to threaten their rear. No maxim was more popular among them than that which declares eternal vigilance to be the price of freedom. Unfortunately their vigilance took account only of the old dangers, and did not note the development of new ones, as if the captain of a man-of-war were to think only of his guns and armour-plating, and neglect to protect himself against torpedoes. Thus abuses were suffered to grow up, which seemed trivial in the midst of so general a prosperity; and good citi-

zens who were occupied in other and more engrossing ways, allowed politics to fall into the hands of mean men. The efforts which these citizens are now making to recover the control of public business would have encountered fewer obstacles had they been made sooner. But the obstacles will be overcome. No one, I think, who has studied either the history of the American people, or their present mind and habits, will conclude that there is among them any jealousy of merit, any positive aversion to culture or knowledge. Neither the political arrangements nor the social and economical conditions of the country tend at this moment to draw its best intellects and loftiest characters into public life. But it is not the democratic temper of the people that stands in the way.

The commonest of the old charges against democracy was that it passed into ochlocracy.° I have sought to show that this has not happened, and is not likely to happen in America. The features of mob-rule do not appear in her system, whose most characteristic faults are the existence of a professional class using government as a means of private gain and the menacing power of wealth. Plutocracy,° which the ancients contrasted with democracy, has shown in America an inauspicious affinity for certain professedly democratic institutions.

Perhaps no form of government needs great leaders so much as democracy. The fatalistic habit of mind perceptible among the Americans needs to be corrected by the spectacle of courage and independence taking their own path, and not looking to see whither the mass are moving. Those whose material prosperity tends to lap them in self-complacency and dull the edge of as-

piration, need to be thrilled by the emotions which great men can excite, stimulated by the ideals they present, stirred to a loftier sense of what national life may attain. In some countries men of brilliant gifts may be dangerous to freedom; but the ambition of American statesmen has been schooled to flow in constitutional channels, and the Republic is strong enough to stand any strain to which the rise of heroes may expose her.

THE STRENGTH OF AMERICAN DEMOCRACY[1]

THOSE merits of American government which belong to its Federal Constitution have already been discussed°: we have now to consider such as flow from the rule of public opinion, from the temper, habits, and ideas of the people.

I. The first is that of Stability. — As one test of a human body's soundness is its capacity for reaching a great age, so it is high praise for a political system that it has stood no more changed than any institution must change in a changing world, and that it now gives every promise of durability. The people are profoundly attached to the form which their national life has taken. The Federal Constitution has been, to their eyes, an almost sacred thing, an Ark of the Covenant,° whereon no man may lay rash hands. All over Europe one hears schemes of radical change freely discussed. There is still a monarchical party in France, a republican party in Italy and Spain, a social democratic party everywhere, not to speak of sporadic anarchist groups. Even in England, it is impossible to feel confident that any one of the existing institutions of the country will be standing fifty years hence. But in the United States the discussion of political problems busies itself with details, so far as the native Americans are concerned, and has assumed that the main lines must remain as they

[1] *The American Commonwealth*, Chapter CII.

are.° This conservative spirit, jealously watchful even in small matters, sometimes prevents reforms, but it assures to the people an easy mind, and a trust in their future which they feel to be not only a present satisfaction but a reservoir of strength.

The best proof of the well-braced solidity of the system is that it survived the Civil War, changed only in a few points which have not greatly affected the balance of National and State powers. Another must have struck every European traveller who questions American publicists about the institutions of their country. When I first travelled in the United States, I used to ask thoughtful men, superior to the prejudices of custom, whether they did not think the States' system defective in such and such points, whether the legislative authority of Congress might not profitably be extended, whether the suffrage ought not to be restricted as regards negroes or immigrants, and so forth. Whether assenting or dissenting, the persons questioned invariably treated such matters as purely speculative, saying that the present arrangements were too deeply rooted for their alteration to come within the horizon of practical politics. So when a serious trouble arises, such as might in Europe threaten revolution, the people face it quietly, and assume that a tolerable solution will be found. At the disputed election of 1876, when each of the two great parties, heated with conflict, claimed that its candidate had been chosen President, and the Constitution supplied no way out of the difficulty, public tranquillity was scarcely disturbed, and the public funds fell but little. A method was invented of settling the question which both sides acquiesced in, and although the de-

cision was a boundless disappointment to the party which had cast the majority of the popular vote, that party quietly submitted to lose those spoils of office whereon its eyes had been feasting.

II. Feeling the law to be their own work, the people are disposed to obey the law. — In a preceding chapter I have examined instances of the disregard of the law, and the supersession of its tardy methods by the action of the crowd. Such instances, serious as they are, do not disentitle the nation as a whole to the credit of law-abiding habits. It is the best result that can be ascribed to the direct participation of the people in their government that they have the love of the maker for his work, that every citizen looks upon a statute as a regulation made by himself for his own guidance no less than for that of others, every official as a person he has himself chosen, and whom it is therefore his interest, with no disparagement to his personal independence, to obey. Plato thought that those who felt their own sovereignty would be impatient of all control: nor is it to be denied that the principle of equality may result in lowering the status and dignity of a magistrate. But as regards law and order the gain much exceeds the loss, for every one feels that there is no appeal from the law, behind which there stands the force of the nation. Such a temper can exist and bear these fruits only where minorities, however large, have learned to submit patiently to majorities, however small. But that is the one lesson which the American government through every grade and in every department daily teaches, and which it has woven into the texture of every citizen's mind. The habit of living under a rigid constitution superior to

ordinary statutes — indeed two rigid constitutions, since the State Constitution is a fundamental law within its own sphere no less than is the Federal — intensifies this legality of view, since it may turn all sorts of questions which have not been determined by a direct vote of the people into questions of legal construction. It even accustoms people to submit to see their direct vote given in the enactment of a State Constitution nullified by the decision of a court holding that the Federal Constitution has been contravened. Every page of American history illustrates the wholesome results. The events of the last few years present an instance of the constraint which the people put on themselves in order to respect every form of law. The Mormons,° a community not exceeding 140,000 persons, persistently defied all the efforts of Congress to root out polygamy, a practice eminently repulsive to American notions. If they had inhabited a State, Congress could not have interfered at all, but as Utah was then only a Territory, Congress had not only a power of legislating for it which overrides Territorial ordinances passed by the local legislature, but the right to apply military force independent of local authorities. Thus the Mormons were really at the mercy of the Federal government, had it chosen to employ violent methods. But by entrenching themselves behind the letter of the Constitution, they continued for many years to maintain their "peculiar institution" by evading the statutes passed against it and challenging a proof which under the common law rules of evidence it was usually found impossible to give. Declaimers hounded on Congress to take arbitrary means for the suppression of the practice, but Congress and the Execu-

tive submitted to be outwitted rather than depart from the accustomed principles of administration, and succeeded at last only by a statute whose searching but strictly constitutional provisions the recalcitrants failed to evade. The same spirit of legality shows itself in misgoverned cities. Even where it is notorious that officials have been chosen by the grossest fraud and that they are robbing the city, the body of the people, however indignant, recognize the authority and go on paying the taxes which a Ring levies, because strict legal proof of the frauds and robberies is not forthcoming. Wrongdoing supplies a field for the display of virtue.

III. There is a broad simplicity about the political ideas of the people, and a courageous consistency in carrying them out in practice. When they have accepted a principle, they do not shrink from applying it "right along," however disagreeable in particular cases some of the results may be. I am far from meaning that they are logical in the French sense of the word. They have little taste either for assuming abstract propositions or for syllogistically deducing practical conclusions therefrom. But when they have adopted a general maxim of policy or rule of action they show more faith in it than the English for instance would do, they adhere to it where the English would make exceptions, they prefer certainty and uniformity° to the advantages which might occasionally be gained by deviation. If this tendency is partly the result of obedience to a rigid constitution, it is no less due to the democratic dislike of exceptions and complexities, which the multitude finds not only difficult of comprehension but disquieting to the individual who may not know how they will affect

him. Take for instance the boundless freedom of the press. There are abuses obviously incident to such freedom, and these abuses have not failed to appear. But the Americans deliberately hold that in view of the benefits which such freedom on the whole promises, abuses must be borne with and left to the sentiment of the people and the private law of libel to deal with. When the Ku Klux° outrages disgraced several of the Southern States after the military occupation of those States had ceased, there was much to be said for sending back the troops to protect the negroes and Northern immigrants. But the general judgment that things ought to be allowed to take their natural course prevailed; and the result justified this policy, for the outrages after a while died out, when ordinary self-government had been restored. When recently a gigantic organization of unions of working men, purporting to unite the whole of American labour, attempted to enforce its sentences against particular firms or corporations by a boycott in which all labourers were urged to join, there was displeasure, but no panic, no call for violent remedies. The prevailing faith in liberty and in the good sense of the mass was unshaken; and the result soon justified this tranquil faith. Such a tendency is not an unmixed blessing, for it sometimes allows evils to go too long unchecked. But in giving equability to the system of government it gives steadiness and strength. It teaches the people patience, accustoming them to expect relief only by constitutional means. It confirms their faith in their institutions, as friends value one another more when their friendship has stood the test of a journey full of hardships.

IV. American government, relying very little on officials, has the merit of arming them with little power of arbitrary interference. The reader who has followed the description of Federal authorities, State authorities, county and city or township authorities, may think there is a great deal of administration; but the description has been minute just because the powers of each authority are so carefully and closely restricted. It is natural to fancy that a government of the people and by the people will be led to undertake many and various functions for the people, and in the confidence of its strength will constitute itself a general philanthropic agency for their social and economic benefit. Of late years a current has begun to run° in this direction. But the paternalism of America differs from that of Europe in acting not so much through officials as through the law. That is to say when it prescribes to a citizen a particular course of action it relies upon the ordinary legal sanctions, instead of investing the administrative officers with inquisitorial duties or powers that might prove oppressive, and when it devolves active functions upon officials, they are functions serving to aid the individual and the community rather than to interfere with or supersede the action of private enterprise. Having dwelt on the evils which may flow from the undue application of the doctrine of direct popular sovereignty, I must remind the European reader that it is only fair to place to the credit of that doctrine and of the arrangements it has dictated, the intelligence which the average native American shows in his political judgments, the strong sense he entertains of the duty of giving a vote, the spirit of alertness and enterprise, which has made him self-helpful above all other men.

V. There are no struggles between privileged and unprivileged orders, not even that perpetual strife of rich and poor which is the oldest disease of civilized states. One must not pronounce broadly that there are no classes, for in parts of the country social distinctions have begun to grow up. But for political purposes classes scarcely exist. No one of the questions which now agitate the nation is a question between rich and poor. Instead of suspicion, jealousy, and arrogance embittering the relations of classes, good feeling and kindliness reign. Everything that government, as the Americans have hitherto understood the term, can give them, the poorer class have already, political power, equal civil rights, a career open to all citizens alike, not to speak of that gratuitous higher as well as elementary education which on their own economic principles the United States might have abstained from giving, but which political reasons have led them to provide with so unstinting a hand. Hence the poorer have had little to fight for, no grounds for disliking the well-to-do, few complaints to make against them. The agitation of the last few years has been directed, not against the richer sort generally, but against incorporated companies and a few wealthy capitalists, who are deemed to have abused the powers which the privilege of incorporation conferred upon them, or employed their wealth to procure legislation unfair to the public. Where violent language has been used like that with which France and Germany are familiar, it has been used, not by native Americans, but by newcomers, who bring their Old World passions with them. Property is safe, because those who hold it are far more numerous than those who do not: the

usual motives for revolution vanish; universal suffrage, even when vested in ignorant new-comers, can do comparatively little harm, because the masses have obtained everything which they could hope to attain except by a general pillage. And the native Americans, though the same cannot be said of some of the recent immigrants, are shrewd enough to see that the poor would suffer from such pillage no less than the rich.

When I revised in 1894 the preceding part of this chapter, I left these words, which were written in 1888, to stand as they were. I leave them still in 1910, because they seem still to express the view which the most judicious Americans themselves then took and take now of their country. Looking at the labour troubles which have more than once occurred since 1888, including the great railroad strike riots of July, 1894, that view may seem too roseate. But it must be remembered that strike riots are largely due to the passion of recent immigrants, whom American institutions have not had time to educate; and it must also be noted that the opinion of the native Americans, with little distinction of class, has usually approved the action, however bold, of the Executive, Federal or State, whenever it puts forth all its legal powers to repress disorder. It is not wonderful that over the immense area of the country the public should be now and then disturbed, and that the force to preserve it should sometimes be wanting. But things, so far from getting worse, seem rather to be mending.

A European censor may make two reflections on the statement of this part of the case. He will observe that, after all, it is no more than saying that when you have got to the bottom you can fall no farther. And he will

ask whether, if property is safe and contentment reigns, these advantages are not due to the economical conditions of a new and resourceful country, with an abundance of unoccupied land and mineral wealth, rather than to the democratic structure of the government. The answer to the first objection is, that the descent towards equality and democracy has involved no injury to the richer or better educated classes: to the second, that although much must doubtless be ascribed to the bounty of nature, her favours have been so used by the people as to bring about a prosperity, a general diffusion of property, an abundance of freedom, of equality, and of good feeling which furnish the best security against the recurrence in America of chronic Old World evils, even when her economic state shall have become less auspicious than it now is. Wealthy and powerful such a country must have been under any form of government, and the speed with which she has advanced has been no unmixed good, but the employment of the sources of wealth to diffuse comfort among millions of families may be placed to the credit of stimulative freedom. Wholesome habits have been established among the people whose value will be found when the times of pressure approach, and though the troubles that have arisen between labour and capital may not soon pass away, the sense of human equality, the absence of offensive privileges distinguishing class from class, will make those troubles less severe than in Europe, where they are complicated by the recollection of old wrongs, by arrogance on the one side and envy on the other.

Some American panegyrists of democracy have weakened their own case by claiming for a form of government

all the triumphs which modern science has wrought in a land of unequalled natural resources. An active European race would probably have made America rich and prosperous under any government. But the volume and the character of the prosperity attained may be in large measure ascribed to the institutions of the country. As Dr. Charles W. Eliot° observes in a singularly thoughtful address: —

"Sensible and righteous government ought ultimately to make a nation rich; and although this proposition cannot be directly reversed, yet diffused well-being, comfort, and material prosperity establish a fair presumption in favour of the government and prevailing social conditions under which these blessings have been secured. . . .

"The successful establishment and support of religious institutions, — churches, seminaries, and religious charities, — upon a purely voluntary system, is an unprecedented achievement of the American democracy. In only three generations American democratic society has effected the complete separation of Church and State, a reform which no other people has ever attempted. Yet religious institutions are not stinted in the United States; on the contrary, they abound and thrive, and all alike are protected and encouraged, but not supported, by the State. . . . The maintenance of churches, seminaries, and charities by voluntary contributions and by the administrative labours of volunteers, implies an enormous and incessant expenditure of mental and moral force. It is a force which must ever be renewed from generation to generation; for it is a personal force, constantly expiring, and as constantly to be

replaced. Into the maintenance of the voluntary system in religion has gone a good part of the moral energy which three generations have been able to spare from the work of getting a living; but it is worth the sacrifice, and will be accounted in history one of the most remarkable feats of American public spirit and faith in freedom.

"A similar exhibition of diffused mental and moral energy has accompanied the establishment and the development of a system of higher instruction in the United States, with no inheritance of monastic endowments, and no gifts from royal or ecclesiastical personages disposing of great resources derived from the State, and with but scanty help from the public purse. Whoever is familiar with the colleges and universities of the United States knows that the creation of these democratic institutions has cost the life-work of thousands of devoted men. At the sacrifice of other aspirations, and under heavy discouragements and disappointments, but with faith and hope, these teachers and trustees have built up institutions, which, however imperfect, have cherished scientific enthusiasm, fostered piety, literature, and art, maintained the standards of honour and public duty, and steadily kept in view the ethical ideals which democracy cherishes. It has been a popular work, to which large numbers of people in successive generations have contributed of their substance or of their labour. The endowment of institutions of education, including libraries and museums, by private persons in the United States is a phenomenon without precedent or parallel, and is a legitimate effect of democratic institutions. Under a tyranny — were it that of a Marcus Aurelius — or an oligarchy — were it as enlightened as that which now

rules Germany — such a phenomenon would be simply impossible. Like the voluntary system in religion, the voluntary system in the higher education buttresses democracy; each demands from the community a large outlay of intellectual activity and moral vigour."

VI. The government of the Republic, limited and languid in ordinary times, is capable of developing immense vigour. It can pull itself together at moments of danger, can put forth unexpected efforts, can venture on stretches of authority transcending not only ordinary practice but even ordinary law. This is the result of the unity of the nation. A divided people is a weak people, even if it obeys a monarch; a united people is doubly strong when it is democratic, for then the force of each individual will swells the collective force of the government, encourages it, relieves it from internal embarrassments. Now the American people is united at moments of national concern from two causes. One is that absence of class divisions and jealousies which has been already described. The people are homogeneous: a feeling which stirs them stirs alike rich and poor, farmers and traders, Eastern men and Western men — one may now add, Southern men also. Their patriotism has ceased to be defiant, and is conceived as the duty of promoting the greatness and happiness of their country, a greatness which, as it does not look to war or aggression, does not redound specially, as it might in Europe, to the glory or benefit of the ruling caste or the military profession, but to that of all the citizens. The other source of unity is the tendency in democracies for the sentiment of the majority to tell upon the sentiment of a minority. That faith in the popular voice

whereof I have already spoken strengthens every feeling which has once become strong, and makes it rush like a wave over the country, sweeping everything before it. I do not mean that the people become wild with excitement, for beneath their noisy demonstrations they retain their composure and shrewd view of facts. I mean only that the pervading sympathy stirs them to unwonted efforts. The steam is superheated, but the effect is seen only in the greater expansive force which it exerts. Hence a spirited executive can in critical times go forward with a courage and confidence possible only to those who know that they have a whole nation behind them. The people fall into rank at once. With that surprising gift for organization which they possess, they concentrate themselves on the immediate object; they dispense with the ordinary constitutional restrictions; they make personal sacrifices which remind one of the self-devotion of Roman citizens in the earlier days of Rome.

Speaking thus, I am thinking chiefly of the spirit evolved by the Civil War in both the North and the South. But the sort of strength which a democratic government derives from its direct dependence on the people is seen in many smaller instances. In 1863, when on the making of a draft of men for the war, the Irish mob rose in New York City, excited by the advance of General Robert E. Lee° into Pennsylvania, the State governor called out the troops, and by them restored order with a stern vigour which would have done credit to Radetzsky° or Cavaignac.° More than a thousand rioters were shot down, and public opinion entirely approved the slaughter. Years after the war, when the

Orangemen° of New York purposed to have a 12th of July procession through the streets, the Irish Catholics threatened to prevent it. The feeling of the native Americans was aroused at once; young men of wealth came back from their mountain and seaside resorts to fill the militia regiments which were called out to guard the procession, and the display of force was so overwhelming that no disturbance followed. These Americans had no sympathy with the childish and mischievous partisanship which leads the Orangemen to perpetuate Old World feuds on New World soil. But processions were legal, and they were resolved that the law should be respected, and the spirit of disorder repressed. They would have been equally ready to protect a Roman Catholic procession.

Given an adequate occasion, executive authority in America can better venture to take strong measures, and feels more sure of support from the body of the people, than is the case in England. When there is a failure to enforce the law, the fault lies at the door, not of the people, but of timid or time-serving officials who fear to offend some interested section of the voters.

VII. Democracy has not only taught the Americans how to use liberty without abusing it, and how to secure equality: it has also taught them fraternity. That word has gone out of fashion in the Old World, and no wonder, considering what was done in its name in 1793,° considering also that it still figures in the programme of assassins. Nevertheless, there is in the United States a sort of kindliness, a sense of human fellowship, a recognition of the duty of mutual help owed by man to man, stronger than anywhere in the Old World, and

certainly stronger than in the upper or middle classes of England, France, or Germany. The natural impulse of every citizen in America is to respect every other citizen, and to feel that citizenship constitutes a certain ground of respect. The idea of each man's equal rights is so fully realized that the rich or powerful man feels it no indignity to take his turn among the crowd, and does not expect any deference from the poorest. Whether or no an employer of labour has any stronger sense of his duty to those whom he employs than employers have in continental Europe, he has certainly a greater sense of responsibility for the use of his wealth. The number of gifts for benevolent and other public purposes, the number of educational, artistic, literary, and scientific foundations, is larger than even in Britain, the wealthiest and most liberal of European countries. Wealth is generally felt to be a trust, and exclusiveness condemned not merely as indicative of selfishness, but as a sort of offence against the public. No one, for instance, thinks of shutting up his pleasure-grounds; he seldom even builds a wall round them, but puts up only a low railing, so that the sight of his trees and shrubs is enjoyed by passers-by. That any one should be permitted either by opinion or by law to seal up many square miles of beautiful mountain country against tourists or artists is to the ordinary American almost incredible. Such things are to him the marks of a land still groaning under feudal tyranny.

It may seem strange to those who know how difficult European states have generally found it to conduct negotiations with the government of the United States, and who are accustomed to read in European news-

papers the defiant utterances which American politicians address from Congress to the effete monarchies of the Old World, to be told that this spirit of fraternity has its influence on international relations also. Nevertheless if we look not at the irresponsible orators, who play to the lower feelings of a section of the people, but at the general sentiment of the whole people, we shall recognize that democracy makes both for peace and for justice as between nations. Despite the admiration for military exploits which the Americans have sometimes shown, no country is at bottom more pervaded by a hatred of war, and a sense that national honour stands rooted in national fair dealing. The nation has been often misrepresented by its statesmen, but although it has sometimes allowed them to say irritating things and advance unreasonable claims, it has seldom permitted them to abuse its enormous strength, as most European nations possessed of similar strength have in time past abused theirs.

The characteristics of the American people which I have passed in review, though not all due to democratic government, have been strengthened by it, and contribute to its solidity and to the smoothness of its working. As one sometimes sees an individual man who fails in life because the different parts of his nature seem unfitted to each other, so that his action, swayed by contending influences, results in nothing definite or effective, so one sees nations whose political institutions are either in advance of or lag behind their social conditions, so that the unity of the body politic suffers, and the harmony of its movements is disturbed. America is not such a nation. There have, no doubt, been two diverse

influences at work on the minds of men. One is the conservative English spirit, brought from home, expressed, and (if one may say so) entrenched in those fastnesses of the Federal Constitution, and (to a less degree) of the State constitutions, which reveal their English origin. The other is the devotion to democratic equality and popular sovereignty, due partly to Puritanism, partly to abstract theory, partly to the circumstances of the Revolutionary struggle. But since neither of these two streams of tendency has been able to overcome the other, they have at last become so blent as to form a definite type of political habits, and a self-consistent body of political ideas. Thus it may now be said that the country is made all of a piece. Its institutions have become adapted to its economic and social conditions and are the due expression of its character. The new wine has been poured into new bottles: or to adopt a metaphor more appropriate to the country, the vehicle has been built with a lightness, strength, and elasticity which fit it for the roads it has to traverse.

[1] I have allowed this and the two last preceding chapters to stand substantially as they were written in 1888 and revised in 1894, because the picture they present seems to be still true in its general outlines, though one might qualify it in some of the details. However in every country time brings certain changes, and of those to be noted as having come to pass since 1894, the following seem most noteworthy.

Respect for the law is less generally evident, as has appeared in the frequent disorders caused by labour disputes.

[1] *Note to Edition of 1914.*

The administration of the criminal law is more conspicuously defective.

There is less faith in representative government, and less reverence for the Federal Constitution.

The power of wealth, and especially the power of the great corporations, has begun to decline. It had gone so far as in 1900 to arouse fear and resentment, and has since then been curbed.

The spirit which makes for "good citizenship" is more generally diffused, and the educated class in particular are more disposed to discharge their civic duties with earnestness and perseverance. This phenomenon, full of promise for the future of democratic government, is due partly to that resentment against the undue influence of wealth already mentioned, partly to a growing interest in what are called "social reforms."

A reader who may think that some recent events point to conclusions more or less at variance with those stated in these chapters is requested to take the latter subject with the foregoing qualifications.

EQUALITY[1]

The United States are deemed all the world over to be pre-eminently the land of equality. This was the first feature which struck Europeans when they began, after the peace of 1815° had left them time to look beyond the Atlantic, to feel curious about the phenomena of a new society. This was the great theme of Tocqueville's description, and the starting-point of his speculations; this has been the most constant boast of the Americans themselves, who have believed their liberty more complete than that of any other people, because equality has been more fully blended with it. Yet some philosophers say that equality is impossible, and others, who express themselves more precisely, insist that distinctions of rank are so inevitable, that however you try to expunge them, they are sure to reappear. Before we discuss this question, let us see in what senses the word is used.

First there is legal equality, including both what one may call passive or private equality, *i.e.* the equal possession of civil private rights by all inhabitants, and active or public equality, the equal possession by all of rights to a share in the government, such as the electoral franchise and eligibility to public office. Both kinds of political equality exist in America, in the amplest

[1] *The American Commonwealth*, Chapter CXIII.

measure, and may be dismissed from the present discussion.

Next there is the equality of material conditions, that is, of wealth, and all that wealth gives; there is the equality of education and intelligence; there is the equality of social status or rank; and there is (what comes near to, but is not exactly the same as, this last) the equality of estimation, *i.e.* of the value which men set upon one another, whatever be the elements that come into this value, whether wealth, or education, or official rank, or social rank, or any other species of excellence. In how many and which of these senses of the word does equality exist in the United States?

Not as regards material conditions. Till about the middle of last century there were no great fortunes in America, few large fortunes, no poverty. Now there is some poverty (though only in a few places can it be called pauperism), many large fortunes, and a greater number of gigantic fortunes than in any other country in the world. The class of persons who are passably well off but not rich is much larger than in the great countries of Europe. Between the houses, the dress, and the way of life of these persons, and those of the richer sort, there is less difference than in Europe. The very rich do not (except in a few places) make an ostentatious display of their wealth, because they have no means of doing so, and a visitor is therefore apt to overrate the extent to which equality of wealth, and of material conditions generally, still prevails. The most remarkable phenomenon of the last half century has been the appearance, not only of those colossal millionaires who fill the public eye, but of a crowd of millionaires

of the second order, men with fortunes ranging from $5,000,000 to $20,000,000. At a seaside resort like Newport, where one sees the finished luxury of the villas, and counts the well-appointed equipages, with their superb horses, which turn out in the afternoon, one gets some impression of the vast and growing wealth of the Eastern cities. But through the country generally there is little to mark out the man with an income of $100,000 a year from the man of $20,000, as he is marked out in England by his country house with its park, or in France by the opportunities for display which Paris affords. The number of these fortunes seems likely to go on increasing, for they are due not merely to the sudden development of the West, with the chances of making vast sums by land speculation or in railway construction, but to the field for doing business on a great scale, which the size of the country presents. Where a merchant or manufacturer in France or England could realize thousands, an American, operating more boldly, and on this far wider theatre, may realize tens of thousands. We may therefore expect these inequalities of wealth to grow; nor will even the habit of equal division among children keep them down, for families are often small, and though some of those who inherit wealth may renounce business, others will pursue it, since the attractions of other kinds of life are fewer than in Europe. Politics are less interesting, there is no great land-holding class with the duties towards tenants and neighbours which an English squire may, if he pleases, usefully discharge; the pursuit of collecting pictures or other objects of curiosity implies frequent visits to Europe, and although the killing of birds pre-

vails in the Middle States and the killing of deer in Maine and the West, this rather barbarous form of pleasure is likely in time to die out from a civilized people. Other kinds of what is called "sport" no doubt remain, such as horse-racing, eagerly pursued in the form of trotting matches, "rushing round" in an automobile, and the manlier amusements of yacht-racing, rowing, and base-ball, but these can be followed only during part of the year, and some of them only by the young. To lead a life of so-called pleasure gives much more trouble in an American city than it does in Paris or Vienna or London. Accordingly, while many great fortunes will continue to be made, they will be less easily and quickly spent than in Europe, and one may surmise that the equality of material conditions, almost universal in the eighteenth century, still general in the middle of the nineteenth, will more and more diminish by the growth of a very rich class at one end of the line, and of a very poor class at the other end.

As respects education, the profusion of superior as well as elementary schools tends to raise the mass to a somewhat higher point than in Europe, while the stimulus of life being keener and the habit of reading more general, the number of persons one finds on the same general level of brightness, keenness, and a superficially competent knowledge of common facts, whether in science, history, geography, or literature, is extremely large. This general level tends to rise. But the level of exceptional attainment in that still relatively small though increasing class who have studied at the best native universities or in Europe, and who pursue learning and science either as a profession or as a source of pleasure,

rises faster than does the general level of the multitude, so that in this regard also it appears that equality has diminished and will diminish further.

So far we have been on comparatively smooth and easy ground. Equality of wealth is a concrete thing; equality of intellectual possession and resource is a thing which can be perceived and gauged. Of social equality, of distinctions of standing and estimation in private life, it is far more difficult to speak, and in what follows I speak with some hesitation.

One thing, and perhaps one thing only, may be asserted with confidence. There is no rank in America, that is to say, no external and recognized stamp, marking one man as entitled to any social privileges, or to deference and respect from others. No man is entitled to think himself better than his fellows, or to expect any exceptional consideration to be shown by them to him. Except in the national capital, there is no such thing as a recognized order of precedence, either on public occasions or at a private party, save that yielded to a few official persons, such as the governor and chief judges of a State within that State, as well as to the President and Vice-President, the Speaker of the House, the Federal senators, the judges of the Supreme Federal Court, and the members of the President's cabinet everywhere through the Union. In fact, the idea of a regular "rule of precedence"° displeases the Americans, and one finds them slow to believe that the application of such rules in Europe gives no offence to persons who possess no conventional rank, but may be personally older or more distinguished than those who have it.

What, then, is the effect or influence for social pur-

poses of such distinctions as do exist between men, distinctions of birth, of wealth, of official position, of intellectual eminence?

To be sprung from an ancient stock, or from a stock which can count persons of eminence among its ancestors, is of course a satisfaction to the man himself. There is at present a passion among Americans for genealogical researches. A good many families can trace themselves back to English families of the sixteenth or seventeenth century, and of course a great many more profess to do so. For a man's ancestors to have come over in the *Mayflower*° is in America much what their having come over with William the Conqueror° used to be in England and is often claimed on equally flimsy grounds. The descendants of any of the revolutionary heroes, such as John Adams, Edmund Randolph,° Alexander Hamilton, and the descendants of any famous man of colonial times, such as the early governors of Massachusetts from William Endicott° downwards, or of Jonathan Edwards,° or of Eliot,° the apostle of the Indians, are regarded by their neighbours with a certain amount of interest, and their legitimate pride° in such an ancestry excites no disapproval. In the Eastern cities and at fashionable summer resorts one begins to see carriages with armorial bearings on their panels, but most people appear to disapprove or ridicule this as a piece of Anglomania, more likely to be practised by a *parvenu*° than by the scion of a really old family. Virginians used to set much store by their pedigrees, and the letters F.F.V. (First Families of Virginia) had become a sort of jest° against persons pluming themselves on their social position in the Old Dominion. Since the war, however, which

shattered old Virginian society from its foundations, one hears less of such pretensions.°

The fault which Americans are most frequently accused of is the worship of wealth. The amazing fuss which is made about very rich men, the descriptions of their doings, the speculation as to their intentions, the gossip about their private life, lend colour to the reproach. He who builds up a huge fortune, especially if he does it suddenly, is no doubt a sort of hero, because an enormous number of men have the same ambition. Having done best what millions are trying to do, he is discussed, admired, and envied in the same way as the captain of a cricket eleven is at an English school, or the stroke of the university boat at Oxford or Cambridge.° If he be a great financier, or the owner of a great railroad or a great newspaper, he exercises vast power, and is therefore well worth courting by those who desire his help or would avert his enmity. Admitting all this, it may seem a paradox to observe that a millionaire has a better and easier social career open to him in England than in America. Nevertheless there is a sense in which this is true. In America, if his private character be bad, if he be mean, or openly immoral, or personally vulgar, or dishonest, the best society may keep its doors closed against him. In England great wealth, skilfully employed, will more readily force these doors to open. For in England great wealth can, by using the appropriate methods, practically buy rank from those who bestow it; or by obliging persons whose position enables them to command fashionable society, can induce them to stand sponsors for the upstart, and force him into society, a thing which no person in America has the power of doing.

To effect such a stroke in England the rich man must of course have stopped short of positive frauds, that is, of such frauds as could be proved in court. But he may be still distrusted and disliked by the *élite*° of the commercial world, he may be vulgar and ill-educated, and indeed have nothing to recommend him except his wealth and his willingness to spend it in providing amusement for fashionable people. All this will not prevent him from becoming a baronet, or possibly a peer, and thereby acquiring a position of assured dignity which he can transmit to his offspring. The existence of a system of artificial rank enables a stamp to be given to base metal in Europe which cannot be given in a thoroughly republican country. The feeling of the American public towards the very rich is, so far as a stranger can judge, one of curiosity and wonder rather than of respect. There is less snobbishness shown towards them than in England. They are admired as a famous runner or jockey is admired, and the talents they have shown, say, in railroad management or in finance, are felt to reflect lustre on the nation. But they do not necessarily receive either flattery or social deference, and sometimes, where it can be alleged that they have won their wealth as the leading spirits in monopolistic combinations, they are made targets for attack, though they may have done nothing more than what other business men have attempted, with less ability and less success.

The persons to whom official rank gives importance are very few indeed, being for the nation at large only about one hundred persons at the top of the Federal Government, and in each State less than a dozen of its

highest State functionaries. For these State functionaries, indeed, the respect shown is extremely scanty, and much more official than personal. A high Federal officer, a senator, or justice of the Supreme Court, or cabinet minister, is conspicuous while he holds his place, and is of course a personage in any private society he may enter; but less so than a corresponding official would be in Europe. A simple member of the House of Representatives is nobody. Even men of the highest official rank do not give themselves airs on the score of their position. Long ago, in Washington, I was taken to be presented to the then head of the United States army, a great soldier whose fame all the world knows. We found him standing at a desk in a bare room in the War Department, at work with one clerk. While he was talking to us the door of the room was pushed open, and there appeared the figure of a Western sight-seer belonging to what Europeans would call the lower middle class, followed by his wife and sister, who were "doing" Washington. Perceiving that the room was occupied they began to retreat, but the Commander-in-chief called them back. "Walk in, ladies," he said. "You can look around. You won't disturb me; make yourselves at home."

Intellectual attainment does not excite much notice till it becomes eminent, that is to say, till it either places its possessor in a conspicuous position, such as that of president of one of the greatest universities, or till it has made him well known to the world as a preacher, or writer, or scientific discoverer. When this kind of eminence has been reached, it receives, I think, more respect than anywhere in Europe, except possibly in

Italy, where the interest in learned men, or poets, or artists, seems to be greater than anywhere else in Europe.° A famous writer or divine is known by name to a far greater number of persons in America than would know a similar person in any European country. He is one of the glories of the country. There is no artificial rank to cast him into the shade. He is possibly less famous than the railroad magnates or the manipulators of the stock markets; but he excites a different kind of sentiment; and people are willing to honour him in a way, sometimes distasteful to himself, which would not be applied to the millionaire except by those who sought to gain something from him.

Perhaps the best way of explaining how some of the differences above mentioned, in wealth or official position or intellectual eminence, affect social equality is by reverting to what was called, a few pages back, equality of estimation — the idea which men form of other men as compared with themselves. It is in this that the real sense of equality comes out. In America men hold others to be at bottom exactly the same as themselves.° If a man is enormously rich, or if he is a great orator, like Daniel Webster or Henry Ward Beecher,° or a great soldier like Ulysses S. Grant, or a great writer like R. W. Emerson,° or President, so much the better for him. He is an object of interest, perhaps of admiration, possibly even of reverence. But he is deemed to be still of the same flesh and blood as other men. The admiration felt for him may be a reason for going to see him and longing to shake hands with him, a longing frequent in America. But it is not a reason for bowing down to him, or addressing him in deferential terms, or

treating him as if he were porcelain and yourself only earthenware.° In this respect there is, I think, a difference, slight but perceptible, between the sentiment of equality as it exists in the United States, and as one finds it in France and Switzerland, the countries of the Old World where (if we except Norway, which has never had an aristocracy) social equality has made the greatest progress. In France and Switzerland there lingers a kind of feeling as if the old *noblesse*° were not quite like other men. The Swiss peasant, with all his manly independence, has in many cantons a touch of instinctive reverence for the old families; or perhaps, in some other cantons, a touch of jealousy which makes him desire to exclude their members from office, because he feels that they still think themselves better than he is. Nothing like this is possible in America, where the very notion of such distinctions excites a wondering curiosity as to what sort of creature the titled noble of Europe can be.

The total absence of rank and the universal acceptance of equality do not however prevent the existence of grades and distinctions in society which, though they may find no tangible expression, are sometimes as sharply drawn as in Europe. Except in the newer parts of the West, those who deem themselves ladies and gentlemen draw just the same line between themselves and the multitude as is drawn in England, and draw it in much the same way. The nature of a man's occupation, his education, his manners and breeding, his income, his connections, all come into view in determining whether he is in this narrow sense of the word "a gentleman,°" almost as they would in England, though

in most parts of the United States personal qualities count for rather more than in England, and occupation for hardly anything. The word is equally indefinable in both countries, but in America the expression "not quite a lady" seems to be less frequently employed. One is told, however, that the son of cultivated parents would prefer not to serve in a retail store: and even in a Western city like Detroit the best people will say of a party that it was "very mixed." In some of the older cities society was, till the sudden growth of huge fortunes towards the end of last century, as exclusive as in the more old-fashioned English counties, the "best set" considering itself very select indeed. In such a city I remember to have heard a family belonging to the best set, which is mostly to be found in a particular quarter of the city, speak of the inhabitants of a handsome suburb two miles away just as Belgravians° might speak of Islington°; and the son of the family who, having made in Europe the acquaintance of some of the dwellers in this suburb, had gone to a ball there, was questioned by his sisters about their manners and customs much as if he had returned from visiting a tribe in Central Africa. On inquiry I discovered that these North Side people were as rich and doubtless thought themselves as cultivated as the people of my friend's quarter. But all the city knew that the latter were the "best set." People used to say that this exclusiveness spreads steadily from East to West, and that before long there would be such sets in all the greater cities. So indeed there are sets, but great wealth now so generally secures entrance to them that they can scarcely be called exclusive.

Europeans have been known to ask whether the United States do not suffer from the absence of a hereditary nobility. As may be supposed, such a question excites mirth in America; it is as if you were to offer them a Court and an Established Church.° They remark, with truth, that since Pitt in England and the Napoleons° in France prostituted hereditary titles, these have ceased to be either respectable or useful. "They do not," say the Americans, "suggest antiquity, for the English families that enjoy them are mostly new; they are not associated, like the ancient titles, with the history of your nation; they are merely a prize offered to wealth, the expression of a desire for gilding that plutocracy which has replaced the ancient aristocracy of your country. Seeing how little service hereditary nobility renders in maintaining the standard either of manners, or morals, or honour, or public duty, few sensible men would create it in any European country where it did not exist; much less then should we dream of creating it in America, which possesses none of the materials or conditions which could make it tolerable. If a peerage is purchaseable even in England, where the dignity of the older nobility might have suggested some care in bestowal, purchaseable not so openly as in Portugal or a German principality, but practically purchaseable by party services and by large subscriptions to public purposes, much more would it be purchaseable here, where there are no traditions to break down, where wealth accumulates rapidly, and the wealthy seek every avenue for display. Titles in this country would be simply an additional prize offered to wealth and ambition. They could not be respected. They would make us as snob-

bish as you are." A European observer will not quarrel with this judgment. There is a growing disposition in America, as everywhere else, to relish and make the most of such professional or official titles as can be had; it is a harmless way of trying to relieve the monotony of the world. If there be, as no doubt there is, less disposition than in England to run after and pay court to the great or the fashionable, this is perhaps due not to any superior virtue, but to the absence of those opportunities and temptations which their hereditary titles and other social institutions set before the English. It would be the very wantonness of folly to create in the new country what most thinking people would gladly be rid of in the old one.

Another question is more serious and less easily answered. What is the effect of social equality upon manners? Many causes go to the making of manners, as one may see by noting how much better they are in some parts of Europe than in other parts where, nevertheless, the structure of society is equally aristocratic, or democratic, as the case may be. One must therefore be careful not to ascribe to this source only° such peculiarities as America shows. On the whole, bearing in mind that the English race has less than some other races of that quickness of perception and sympathy which goes far to make manners good, the Americans have gained more than they have lost by equality. The upper class does not lose in grace, and the humbler class gains in independence. The manners of the "best people" are exactly those of England, with a thought more of consideration towards inferiors and of frankness towards equals. Among the masses there is, generally

speaking, as much real courtesy and good nature° as anywhere else in the world. There is less outward politeness than in some parts of Europe, Portugal for instance, or Tuscany, or Sweden. There is a certain coolness or off-handness which at first annoys the European visitor, who still thinks himself "a superior"; but when he perceives that it is not meant for insolence, and that native Americans do not notice it, he learns to acquiesce. Perhaps the worst manners are those of persons dressed in some rag of authority. The railroad car-conductor has a bad name; but personally I have always been well treated by him, and remember with pleasure one on a Southern railroad (an ex-Confederate soldier) who did the honours of his car with a dignified courtesy worthy of those Hungarian nobles who are said to have the best manners in Europe. The hotel clerk used to be supercilious, but when one frankly admitted his superiority, his patronage became friendly, and he would even condescend to interest himself in making your stay in the city agreeable. One finds most courtesy among the rural population of New England and the Middle States, least among the recent immigrants in the cities and the unsettled population of the West. However, the most material point to remark is the improvement of recent years. The concurrent testimony of European travellers, including both admirers and detractors of democracy, proves that manners must have been disagreeable in the days when Dickens° and Lyell° travelled through the country, and one finds nowadays an equally general admission that the Americans are as pleasant to one another and to strangers as are the French or the Germans or the Eng-

lish. The least agreeable feature to the visitors of former years, an incessant vaunting of their own country and disparagement of others, has disappeared, and the tinge of self-assertion which the sense of equality used to give is now but faintly noticeable.

THE INFLUENCE OF DEMOCRACY ON THOUGHT[1]

Two opposite theories regarding the influence of democratic institutions on intellectual activity have found currency. One theory extols them because they stimulate the mind of a people, not only sharpening men's wits by continual struggle and unrest, but giving to each citizen a sense of his own powers and duties in the world, which spurs him on to exertions in ever-widening fields. This theory is commonly applied to Athens° and other democracies of the ancient world, as contrasted with Sparta° and the oligarchic cities, whose intellectual production was scanty or altogether wanting. It compares the Rome of Cicero,° Lucretius,° and Catullus,° and the Augustan age,° whose great figures were born under the Republic, with the vaster but comparatively sterile Roman world of Marcus Aurelius° or Constantine,° when freedom had long since vanished. It notes the outburst of literary and artistic splendour that fell in the later age of the republics of mediæval Italy, and dwells with especial pleasure on the achievements of Florence,° the longest-lived and the most glorious of the free commonwealths of Italy.

According to the other theory, Democracy is the child of ignorance, the parent of dulness and conceit. The opinion of the greatest number being the universal

[1] *The American Commonwealth*, Chapter CXIV.

standard, everything is reduced to the level of vulgar minds. Originality is stunted, variety disappears, no man thinks for himself, or, if he does, fears to express what he thinks. A drear pall of monotony covers the sky.

> "Thy hand, great Anarch, lets the curtain fall,
> And universal darkness buries all."

This doctrine seems to date from the appearance of Tocqueville's book, though his professed disciples have pushed it much further than his words warrant. It is really an *a priori* doctrine, drawn from imagining what the consequences of a complete equality of material conditions and political powers ought to be. But it claims to rest upon the observed phenomena of the United States, which, in the middle of last century, were still the only great modern democracy; and it was with reference to the United States that it was enunciated by Mr. Robert Lowe° in one of those speeches of 1866 which so greatly impressed his contemporaries.

Both these theories will be found on examination to be baseless. Both, so far as they are *a priori* theories, are fanciful; both, in so far as they purport to rest upon the facts of history, err by regarding one set of facts only, and ignoring a great number of concomitant conditions which have probably more to do with the result than the few conditions which have been arbitrarily taken to be sufficient causes. None of the Greek republics was a democracy in the modern sense, for all rested upon slavery; nor, indeed, can the name be applied, except at passing moments, to any of the Italian cities. Many circumstances besides their popular govern-

ment combined to place the imperishable crown of literary and artistic glory upon the brows of the city of the Violet° and the city of the Lily.° So also the view that a democratic land is necessarily a land of barren monotony, while unsound even as a deduction from general principles, is still more unsound in its assumption of certain phenomena as true of America, and in the face it puts on the phenomena it has assumed. The theorists who have propounded it give us, like Daniel,° the dream as well as their interpretation of it. But the dream is one of their own inventing; and such as it is, it is wrongly interpreted.

It is a common mistake to exaggerate the influence of forms of government. As there are historians and politicians who, when they come across a trait of national character for which no obvious explanation presents itself, set it down to "race," so there are writers and speakers who, too indolent to examine the whole facts of the case, or too ill-trained to feel the need of such examination, pounce upon the political institutions of a country as the easiest way to account for its social and intellectual, perhaps even for its moral and religious, peculiarities. Few problems are in reality more complex than the relation between the political and the intellectual life of a country; few things more difficult to distinguish than the influences respectively attributable to an equality of political rights and powers on the one hand, and an equality of material and social conditions on the other. It is commonly assumed that Democracy and Equality go hand in hand, but as one may have popular government along with enormous differences of wealth and dissimilarities in social usage,

so also one may have social equality under a despot. Doubtless, when social and political equality go hand in hand they intensify one another; but when inequality of material conditions becomes marked, social life changes, and as social phenomena become more complex their analysis becomes more difficult.

Reverting to the two theories from which we set out, it may be said that the United States furnish little support to either. American democracy has certainly produced no age of Pericles.° Neither has it dwarfed literature and led a wretched people, so dull as not even to realize their dulness, into a barren plain of featureless mediocrity. To ascribe the deficiencies, such as they are, of art and culture in America, solely or even mainly to her form of government, is not less absurd than to ascribe, as many Americans of what I may call the trumpeting school do, her marvellous material progress to the same cause. It is not Democracy that has paid off a gigantic debt and raised Chicago out of a swamp. Neither is it Democracy that has hitherto denied the United States philosophers like Burke and poets like Wordsworth.°

Most writers who have dealt with these matters have not only laid more upon the shoulders of democratic government than it ought to bear, but have preferred abstract speculations to the humbler task of ascertaining and weighing the facts. They have spun ingenious theories about democracy as the source of this or that, or whatever it pleased them to assume; they have not tried to determine by a wide induction what specific results appear in countries which, differing in other respects, agree in being democratically governed. Such

speculations may have their use in suggesting to us what phenomena we ought to look for in democratic countries; but if any positive results are to be reached, they must be reached by carefully verifying the intellectual phenomena of more than one country, and establishing an unmistakable relation between them and the political institutions under which they prevail.

If some one, starting from the current conception of democracy, were to say that in a democratic nation we should find a disposition to bold and unbridled speculations, sparing neither theology nor morals, a total absence of rule, tradition, and precedent, each man thinking and writing as responsible to no criticism, "every poet his own Aristotle,°" a taste for strong effects and garish colours, valuing force rather than fineness, grandeur rather than beauty, a vigorous, hasty, impetuous style of speaking and writing, a grandiose and perhaps sensational art: he would say what would be quite as natural and reasonable *a priori* as most of the pictures given us of democratic societies. Yet many of the suggested features would be the opposite of those which America presents.

Every such picture must be fanciful. He who starts from so simple and (so to speak) bare a conception as that of equal civil rights and equal political powers vested in every member of the community cannot but have recourse to his fancy in trying to body forth the results of this principle. Let any one study the portrait of the democratic man and democratic city which the first and greatest of all the hostile critics° of democracy has left us, and compare it with the very different descriptions of life and culture under a popular govern-

ment in which European speculation has disported itself since Tocqueville's time. He will find each theory plausible in the abstract, and each equally unlike the facts which contemporary America sets before us.

Let us, bidding farewell to fancy, try to discover the salient intellectual features of the mass of the native population in the United States.

As there is much difference of opinion regarding them, I present with diffidence the following list: —

1. A desire to be abreast of the best thought and work of the world everywhere, to have every form of literature and art adequately represented, and excellent of its kind, so that America shall be felt to hold her own among the nations.

2. A fondness for bold and striking effects, a preference for large generalizations and theories which have an air of completeness.

3. An absence among the multitude of refined taste, with a disposition to be attracted rather by brilliance than by delicacy of workmanship; a want of mellowness and inadequate perception of the difference between first-rate work in a quiet style and mere flatness.

4. Little respect for canons or traditions, accompanied by the notion that new conditions must of necessity produce new ideas.

5. An undervaluing of special knowledge or experience, except in applied science and in commerce, an idea that an able man can do one thing pretty much as well as another, as Dr. Johnson thought that if he had taken to politics he would have been as distinguished therein as he was in tragic poetry.

6. An admiration for literary or scientific eminence, an enthusiasm for anything that can be called genius, with undue eagerness to discover it.

7. A passion for novelties.

8. An intellectual impatience, and desire for quick and patent results.

9. An overvaluing of the judgments of the multitude; a disposition to judge by newspaper success work which has not been produced with a view to such success.

10. A tendency to mistake bigness for greatness.

Contrariwise, if we regard not the people generally but the most cultivated class, we shall find, together with a few of the above-mentioned qualities, others which indicate a reaction against the popular tendencies. This class relishes subtlety of thought and highly finished art, whether in literature or painting. Afraid of crudity and vagueness, it is prone to devote itself to minute and careful study of subjects unattractive to the masses.

Of these characteristics of the people at large some may at first sight seem inconsistent with others, as for instance the admiration for intellectual gifts with the undervaluing of special knowledge; nevertheless it could be shown that both are discoverable in Americans as compared with Englishmen. The former admire intelligence more than the latter do; but they defer less to special competence. However, assuming for the moment that there is something true in these suggestions, which it would take too long to attempt to establish one by one, be it observed that very few of them can be directly connected with democratic government. Even these few might take a different form in a differently situated democracy. The seventh and eighth seem due

to the general intelligence and education of the people, while the remainder, though not wholly uninfluenced by the habits which popular government tends to breed, must be mainly ascribed to the vast size of the country, the immense numbers and intellectual homogeneity of its native white population, the prevalence of social equality, a busy industrialism, a restless changefulness of occupation, and the absence of a leisured class dominant in matters of taste — conditions that have little or nothing to do with political institutions. The prevalence of evangelical Protestantism has been quite as important a factor in the intellectual life of the nation as its form of government.

Some one may say — I wish to state the view fairly though I do not entirely agree with it — that assuming the foregoing analysis to be correct, the influence of democracy, apart from its tendency to secure an ample provision of education, is discernible in two points. It produces self-confidence and self-complacency, national and personal, with the result both of stimulating a certain amount of thought and of preventing the thought that is so produced from being subjected to proper tests. Ambition and self-esteem will call out what might have lain dormant, but they will hinder a nation as well as a man from duly judging its own work, and in so far will retard its progress. Those who are naturally led to trust and obey common sense and the numerical majority in matters of state, overvalue the judgment of the majority in other matters. Now the judgment of the masses is a poor standard for the thinker or the artist to set before him. It may narrow his view and debase his style. He fears to tread in new paths or express un-

popular opinions; or if he despises the multitude he may take refuge in an acrid cynicism. Where the mass rules, a writer cannot but think of the mass, and if refinements are not appreciated he will eschew them, making himself at all hazards intelligible to the common mind, and seeking to attract by broad, perhaps coarsely broad, effects, the hasty reader, who passes by Walter Scott° or Thackeray° to fasten on the latest sketch of fashionable life or mysterious crime.

There is some force in this way of putting the case. Though democracy tends to produce a superficially active public, and perhaps also a jubilant and self-confident public, yet there may be a democratic people neither fond of letters nor disposed to trust its own taste in judging them. Much will depend on the other features of the situation. In the United States the cultivated public increases rapidly, and the very reaction which goes on within it against the defects of the multitude becomes an important factor. All things considered, I doubt whether democracy tends to discourage originality, subtlety, refinement, in thought and in expression, whether literary or artistic. Monotony or vulgarity under any and every form of government have appeared and may appear. The causes of these things lie deeper. Art and literature have been base and vulgar under absolute monarchies and under oligarchies. For two centuries the society of Vienna was one of the most polished and aristocratic societies in Europe. Yet what society could have been intellectually duller or less productive? Venice was almost the only Italian city of the first rank that contributed nothing to the literature of the Middle Ages and the Renaissance. Moreover, it

must not be forgotten that the habits of popular government which open a career to talent in public life, open it in literature also. No man need lean on a faction or propitiate a coterie. A pure clear voice with an unwonted message may at first fail to make itself heard over the din of competitors for popular favour; but once heard, it and its message will probably be judged on their own merits.

Passing away from this question as to the supposed narcotic power of democracy, the further question may be asked, What is the distinctive note of democratic thought and art as they actually appear in the United States? What is the peculiar quality or flavour which springs from this political element in their condition? I cannot tell. I find no such note. I have searched for it, and, as the Americans say, it is hard work looking for what is not there. Some Europeans and many Americans profess to have found it, and will tell you that this or that peculiarity of American literature is due to democracy. No doubt, if you take individual writers, you may discover in several of them something, though not always the same thing, which savours of democratic feeling and tinges their way of regarding human life. But that is not enough. What must be shown is a general quality running through the majority of these writers — a quality which is at once recognized as racy of the soil, and which can be traced back to the democratic element which the soil undoubtedly contains. Has any such quality been shown? That there is a distinctive note in many — not, perhaps, in all — of the best American books may be admitted. It may be caught by ears not the most delicate. But is this

note the voice of democracy? Is it even the voice of democracy and equality combined? There is a difference, slight yet perceptible, in the part which both sentiment and humour play in American books, when we compare them with English books of equivalent strength. The humour has a vein of oddity, and the contrast between the soft copiousness of the sentiment and the rigid lines of lingering Puritanism which it suffuses, is rarely met with in England. Perhaps there is less repose in the American style; there is certainly a curious unrestfulness in the effort, less common in English writers, to bend metaphors to unwonted uses. But are these differences, with others I might mention — and, after all, they are slight — due to any cause connected with politics? Are they not rather due to a mixed and curiously intertwined variety of other causes which have moulded the American mind during the last two centuries? American imagination has produced nothing more conspicuously original than the romances of Hawthorne.° If any one says that he finds something in them which he remembers in no previous English writer, we know what is meant and probably agree. But can it be said that there is anything distinctively American in Hawthorne, that is to say, that his specific quality is of a kind which reappears in other American writers? The most peculiar, and therefore I suppose the most characteristically American school of thought, has been what used to be called the Concord or Transcendental school° of 1830 to 1860; among the writings produced by which those of Emerson and Thoreau° are best known in Europe. Were the authors of that school distinctively democratic either in the

colour of their thought or in its direction, or in the style which expresses it? And if so, can the same democratic tinge be discerned in the authors of to-day? I doubt it; but such matters do not admit of proof or disproof. One must leave them to the literary feeling of the reader.

A very distinguished American man of letters once said to me that he hated nothing so much as to hear people talk about American literature. He meant, I think, that those who did so were puzzling themselves unnecessarily to find something which belonged to a new country and a democratic country, and were forgetting or ignoring the natural relation of works of imagination and thought produced in America to books written in the same language by men of the same race in the Old World before and since 1776.

So far, then, as regards American literature generally, there may be discovered in it something that is distinctive, yet little (if anything) specifically democratic. Nor, if we look at the various departments of speculative thought, such as metaphysics and theology, or at those which approach nearer to the exact sciences, such as economics and jurisprudence, shall we find that the character and substance of the doctrines propounded bear marked traces of a democratic influence. Why should we be surprised at this, seeing that the influence of a form of government is only one among many influences, even where a nation stands alone, and creates a literature distinctively local? But can books written in the United States be deemed to constitute a literature locally American in the same sense as the literatures of France and Germany, of Italy and Russia, belong to

those countries? For the purposes of thought and art the United States is a part of England, and England is a part of America. Many English books are more widely read and strike deeper to the heart in America than in England. Some American books have a like fortune in England. Differences there are, but differences how trivial compared with the resemblances in temper, in feeling, in susceptibility to certain forms of moral and physical beauty, in the general view of life and nature, in the disposition to revere and be swayed by the same matchless models of that elder literature which both branches of the English race can equally claim. American literature does not to-day differ more from English literature than the Scottish writers of the later eighteenth century — Burns,° Scott,° Adam Smith,° Reid,° Hume, Robertson° — differed from their English contemporaries. There was a fondness for abstractions and generalizations in the Scottish prose writers; there was in the Scottish poets a bloom and fragrance of mountain heather which gave to their work a charm of freshness and singularity, like that which a faint touch of local accent gives to the tongue of an orator. But they were English as well as Scottish writers: they belong to English literature and make part of its glory to the world beyond. So Franklin,° Fenimore Cooper,° Hawthorne, Emerson, Longfellow,° Lowell,° and those on whom their mantle has fallen, belong to England as well as to America; and English writers, as they more and more realize the vastness of the American public they address, will more and more feel themselves to be American as well as English, and will often find in America not only a larger but a more responsive audience.

THE PLEASANTNESS OF AMERICAN LIFE[1]

I HAVE never met a European of the middle or upper classes who did not express astonishment when told that America was a more agreeable place than Europe to live in. "For working men," he would answer, "yes; but for men of education or property, how can a new rough country, where nothing but business is talked and the refinements of life are only just beginning to appear, how can such a country be compared with England, or France, or Italy?"

It is nevertheless true that there are elements in the life of the United States which may well make a European of any class prefer to dwell there rather than in the land of his birth. Let us see what they are.

In the first place there is the general prosperity and material well-being of the mass of the inhabitants. In Europe, if an observer takes his eye off his own class and considers the whole population of any one of the greater countries, he will perceive that by far the greater number lead very laborious lives, and are, if not actually in want of the necessities of existence, yet liable to fall into want, the agriculturists when nature is harsh, the wage-earners when work is scarce. In England the lot of the labourer has been hitherto a hard one, incessant field toil, with rheumatism at fifty and the workhouse at the end of the vista; while the misery in such cities as

[1] *The American Commonwealth*, Chapter CXIX.

London, Liverpool, and Glasgow is only too well known. In France there is less pauperism, but nothing can be more pinched and sordid than the life of the bulk of the peasantry. In the great towns of Germany there is constant distress and increasing discontent. The riots of 1886 in Belgium° told an even more painful tale of the wretchedness of the miners and artisans there. In Italy the condition of the rural population of Venetia as well as of the southern provinces still gives cause for grave concern. Of Russia, with her ninety millions of peasants living in half-barbarism, there is no need to speak. Contrast any one of these countries with the United States, where the working classes are as well fed, clothed, and lodged as the lower middle class in Europe, and the farmers who till their own land (as nearly all do) much better, where a good education is within the reach of the poorest, where the opportunities for getting on in one way or another are so abundant that no one need fear any physical ill but disease or the results of his own intemperance. Pauperism already exists in some of the larger cities, where drink breeds misery, and where recent immigrants, with the shiftlessness of Europe still clinging round them, are huddled together in squalor. But outside these few cities one sees nothing but comfort. In Connecticut and Ohio the native American operatives in many a manufacturing town lead a life easier, and more brightened by intellectual culture and by amusements, than that of the clerks and shopkeepers of England or France. In places like Kansas City or Chicago one finds miles on miles of suburb filled with neat wooden houses, each with its tiny garden plot, owned by the shop assistants and handicraftsmen who

return on the electric-cars in the evening from their work. All over the wide West, from Lake Ontario to the Upper Missouri, one travels past farms of one to two hundred acres, in every one of which there is a spacious farmhouse among orchards and meadows, where the farmer's children grow up strong and hearty on abundant food, the boys full of intelligence and enterprise, ready to push their way on farms of their own or enter business in the nearest town, the girls familiar with the current literature of England as well as of America. The life of the agricultural settler in the further West has its privations, but it is brightened by hope, and has a singular charm of freedom and simplicity. The impression which this comfort and plenty makes is heightened by the brilliance and keenness of the air, by the look of freshness and cleanness which even the cities wear, all of them except the poorest parts of those few I have referred to above. The fog and soot-flakes of an English town, as well as its squalor, are wanting; you are in a new world, and a world which knows the sun. It is impossible not to feel warmed, cheered, invigorated by the sense of such material well-being all around one, impossible not to be infected by the buoyancy and hopefulness of the people. The wretchedness of Europe lies far behind; the weight of its problems seems lifted from the mind. As a man suffering from depression feels the clouds roll away from his spirit when he meets a friend whose good humour and energy present the better side of things and point the way through difficulties, so the sanguine temper of the Americans, and the sight of the ardour with which they pursue their aims, stimulates a European and makes him think the world

a better place than it had seemed amid the entanglements and sufferings of his own hemisphere.

To some Europeans this may seem fanciful. I doubt if any European can realize till he has been in America how much difference it makes to the happiness of any one not wholly devoid of sympathy with his fellow-beings, to feel that all round him, in all classes of society and all parts of the country, there exist in such ample measure so many of the external conditions of happiness: abundance of the necessaries of life, easy command of education and books, amusements and leisure to enjoy them, comparatively few temptations to intemperance and vice.

The second charm of American life is one which some Europeans will smile at. It is social equality. To many Europeans the word has an odious sound. It suggests a dirty fellow in a blouse elbowing his betters in a crowd, or an ill-conditioned villager shaking his fist at the parson and the squire; or, at any rate, it suggests obtrusiveness and bad manners. The exact contrary is the truth. Equality improves manners, for it strengthens the basis of all good manners, respect for other men and women simply as men and women, irrespective of their station in life. Probably the assertion of social equality was one of the causes which injured American manners fifty years ago, for that they were then bad among townsfolk can hardly be doubted in face of the testimony, not merely of sharp tongues like Mrs. Trollope's,° but of calm observers like Sir Charles Lyell and sympathetic observers like Richard Cobden.° In those days there was an obtrusive self-assertiveness among the less refined classes, especially towards those

who, coming from the Old World, were assumed to come in a patronizing spirit. Now, however, social equality has grown so naturally out of the circumstances of the country, has been so long established, and is so ungrudgingly admitted, that all excuse for obtrusiveness has disappeared. People meet on a simple and natural footing, with more frankness and ease° than is possible in countries where every one is either looking up or looking down. There is no servility on the part of the humbler, and if now and then a little of the "I am as good as you" rudeness be perceptible, it is likely to proceed from a recent immigrant, to whom the attitude of simple equality has not yet become familiar as the evidently proper attitude of one man to another. There is no condescension on the part of the more highly placed, nor is there even that sort of scrupulously polite coldness which one might think they would adopt in order to protect their dignity. They have no cause to fear for their dignity, so long as they do not themselves forget it. And the fact that your shoemaker or your factory hand addresses his employer as an equal does not prevent him from showing all the respect to which any one may be entitled on the score of birth or education or eminence in any walk of life.

This naturalness is a distinct addition to the pleasure of social intercourse. It enlarges the circle of possible friendship, by removing the *gêne*° which in most parts of Europe persons of different ranks feel in exchanging their thoughts on any matters save those of business. It raises the humbler classes without lowering the upper; indeed, it improves the upper no less than the lower by expunging that latent insolence which deforms

the manners of so many of the European rich. It relieves women in particular, who in Europe are specially apt to think of class distinctions, from that sense of constraint and uneasiness which is produced by the knowledge that other women with whom they come in contact are either looking down on them, or at any rate trying to gauge and determine their social position. It expands the range of a man's sympathies, and makes it easier for him to enter into the sentiments of other classes than his own. It gives a sense of solidarity to the whole nation, cutting away the ground for the jealousies and grudges which distract people so long as the social pretensions of past centuries linger on to be resented by the levelling spirit of a revolutionary age. And I have never heard native Americans speak of any drawbacks corresponding to and qualifying these benefits.

There are, moreover, other rancours besides those of social inequality whose absence from America brightens it to a European eye. There are no quarrels of churches and sects. Judah does not vex Ephraim,° nor Ephraim envy Judah. No Established Church looks down scornfully upon Dissenters° from the height of its titles and endowments, and talks of them as hindrances in the way of its work. No Dissenters pursue an Established Church in a spirit of watchful jealousy, nor agitate for its overthrow. One is not offended by the contrast between the theory and the practice of a religion of peace, between professions of universal affection in pulpit addresses and forms of prayer, and the acrimony of clerical controversialists. Still less, of course, is there that sharp opposition and antagonism of Christians and anti-Christians which lacerates the private as well

as public life of France. Rivalry between sects appears only in the innocent form of the planting of new churches and raising of funds for missionary objects, while most of the Protestant denominations, including the four most numerous, constantly fraternize in charitable work. Between Roman Catholics and the more educated Protestants there is little hostility, and sometimes even co-operation for a philanthropic purpose. The sceptic is no longer under a social ban, and discussions on the essentials of Christianity and of theism are conducted with good temper. There is not a country in the world where Frederick the Great's° principle, that every one should be allowed to go to heaven his own way, is so fully applied. This sense of religious peace as well as religious freedom all around one is soothing to the weary European, and contributes not a little to sweeten the lives of ordinary people.

I come last to the character and ways of the Americans themselves in which there is a certain charm, hard to convey by description, but felt almost as soon as one sets foot on their shore, and felt constantly thereafter. In purely business relations there is hardness, as there is all the world over. Inefficiency has a very short shrift. But apart from these relations they are a kindly people. Good nature, heartiness, a readiness to render small services to one another, an assumption that neighbours in the country, or persons thrown together in travel, or even in a crowd, were meant to be friendly rather than hostile to one another, seem to be everywhere in the air, and in those who breath it. Sociability is the rule, isolation and moroseness the rare exception. It is not that people are more vivacious or talkative than an

Englishman expects to find them, for the Western man is often taciturn and seldom wreathes his long face into a smile. It is rather that you feel that the man next you, whether silent or talkative, does not mean to repel intercourse, or convey by his manner his low opinion of his fellow-creatures. Everybody seems disposed to think well of the world and its inhabitants, well enough at least to wish to be on easy terms with them and serve them in those little things whose trouble to the doer is small in proportion to the pleasure they give to the receiver. To help others is better recognized as a duty than in Europe. Nowhere is money so readily given for any public purpose; nowhere, I suspect, are there so many acts of private kindness done, such, for instance, as paying the college expenses of a promising boy, or aiding a widow to carry on her husband's farm; and these are not done with ostentation. People seem to take their own troubles more lightly than they do in Europe, and to be more indulgent to the faults by which troubles are caused. It is a land of hope, and a land of hope is a land of good humour. And they have also, though this is a quality more perceptible in women than in men, a remarkable faculty for enjoyment, a power of drawing more happiness from obvious pleasures, simple and innocent pleasures, than one often finds in overburdened Europe.

As generalizations like this are necessarily comparative, I may be asked with whom I am comparing the Americans. With the English, or with some attempted average of European nations? Primarily I am comparing them with the English, because they are the nearest relatives of the English. But there are other

European countries, such as France, Belgium, Spain, in which the sort of cheerful friendliness I have sought to describe is less common than it is in America. Even in Germany and German Austria, simple and kindly as are the masses of the people, the upper classes have that *roideur*° which belongs to countries dominated by an old aristocracy, or by a plutocracy trying to imitate aristocratic ways. The upper class in America (if one may use such an expression) has not in this respect differentiated itself from the character of the nation at large.

If the view here presented be a true one, to what causes are we to ascribe this agreeable development of the original English type, a development in whose course the sadness of Puritanism seems to have been shed off?

Perhaps one of them is the humorous turn of the American character. Humour is a sweetener of temper, a copious spring of charity, for it makes the good side of bad things even more visible than the bad side of good things; but humour in Americans may be as much a result of an easy and kindly turn as their kindliness is of their humour. Another is the perpetuation of a habit of mutual help formed in colonial days. Colonists need one another's aid more constantly than the dwellers in an old country, are thrown more upon one another, even when they live scattered in woods or prairies, are more interested in one another's welfare. When you have only three neighbours within five miles, each of them covers a large part of your horizon. You want to borrow a plough from one; you get another to help you to roll your logs; your children's delight is to go over for an evening's merrymaking to the lads

and lasses of the third. It is much pleasanter to be on good terms with these few neighbours, and when others come one by one, they fall into the same habits of intimacy. Any one who has read those stories of rustic New England or New York life which delighted those who were English children in 1850 — I do not know whether they delight children still, or have been thrown aside for more highly spiced food — will remember the warm-hearted simplicity and atmosphere of genial goodwill which softened the roughness of peasant manners and tempered the sternness of a Calvinistic creed. It is natural that the freedom of intercourse and sense of interdependence which existed among the early settlers, and which have existed ever since among the pioneers of colonization in the West as they moved from the Connecticut to the Mohawk, from the Mohawk to the Ohio, from the Ohio to the Mississippi, should have left on the national character traces not effaced even in the more artificial civilization of our own time. Something may be set down to the feeling of social equality, creating that respect for a man as a man, whether he be rich or poor, which was described a few pages back; and something to a regard for the sentiment of the multitude, a sentiment which forbids any man to stand aloof in the conceit of self-importance, and holds up geniality and good fellowship as almost the first of social virtues. I do not mean that a man consciously suppresses his impulses to selfishness or gruffness because he knows that his faults will be ill regarded; but that, having grown up in a society which is infinitely powerful as compared with the most powerful person in it, he has learnt to realize his individual insignificance, as members

of the upper class in Europe never do, and has become permeated by the feeling which this society entertains — that each one's duty is not only to accept equality, but also to relish equality, and to make himself pleasant to his equals. Thus the habit is formed even in natures of no special sweetness, and men become kindly by doing kindly acts.

Whether, however, these suggestions be right or wrong, there is no doubt as to the fact which they attempt to explain. I do not, of course, give it merely as the casual impression of European visitors, whom a singularly frank and ready hospitality welcomes and makes much of. I base it on the reports of European friends who have lived for years in the United States, and whose criticism of the ways and notions of the people is keen enough to show that they are no partial witnesses.

THE FUTURE OF POLITICAL INSTITUTIONS[1]

THE task of forecasting the future is one from which a writer does well to turn away, for the coasts of history are strewn with the wrecks of predictions launched by historians and philosophers. No such ambitious task shall be essayed by me. But as I have described the institutions of the American commonwealth as they stand at this moment, seldom expressing an opinion as to their vitality or the influences which are at work to modify them, I may reasonably be asked to state, before bringing this book to a close, what processes of change these institutions seem to be at this moment undergoing. Changes move faster in our age than they ever moved before, and America is a land of change. No one doubts that fifty years hence it will differ at least as much from what it is now as it differs now from the America which Tocqueville described. The causes whose action will mould it are too numerous, too complex, too subtly interwoven to make it possible to conjecture their joint result. All we can ever say of the future is that it will be unlike the present. I will therefore attempt, not to predict future changes, but only to indicate some of the processes of change now in progress which have gone far enough to let us see that they are due to causes of unmistakable potency, causes likely to continue in activity for some time to come.

[1] *The American Commonwealth*, Chapter CXXII.

I began with a glance at the Federal system, whose equilibrium it has been the main object of the Federal Constitution to preserve. That equilibrium has been little disturbed. So far as law goes, it has suffered no change since the amendments to the Constitution which recorded and formulated the results of the Civil War. Before the war many Americans and most Europeans expected a dissolution of the Union, either by such a loosening of the Federal tie as would reduce the Union to a mere league, or by the formation of several State groups wholly independent of one another. At this moment, however, nothing seems less likely than another secession. The States' Rights spirit has declined. The material interests of every part of the country are bound up with those of every other. The capital of the Eastern cities has been invested in mines in the West, in iron works and manufactories in the South, in mortgages and railroads everywhere. The South and the West need this capital for their development, and are daily in closer business relations with the East. The produce of the West finds its way to the Atlantic through the ports of the East. Every produce market, every share market, vibrates in response to the Produce Exchange and Stock Exchange of New York. Each part of the country has come to know the other parts far better than was possible in earlier times; and the habit of taking journeys hither and thither grows with the always-growing facilities of travel. Many families have sons or brothers in remote States; many students come from the West and the South to Eastern universities, and form ties of close friendship there. Railways and telegraphs are daily narrowing and com-

pressing the vast area between ocean and ocean. As the civilized world was a larger world in the days of Herodotus° than it is now, — for it took twice as many months to travel from the Caspian Sea to the Pillars of Hercules° as it takes now to circumnavigate the globe; one was obliged to use a greater number of languages, and the journey was incomparably more dangerous, — so now the United States, with more than ninety millions of people, extending from the Bay of Fundy to the Gulf of California, are a smaller country for all the purposes of government, of commerce, and of social intercourse, than before the purchase of Louisiana in 1803,° for it took more than twice as long then to go from Boston to Charleston as it takes now to go from Portland in Maine to Portland in Oregon, and the journey was far more costly and difficult.

Even the Pacific States, which might have seemed likely to form a community by themselves, are being drawn closer to those of the Mississippi basin. Population will in time become almost continuous along the lines of the Northern and Southern Pacific Railways, and though the deserts of Nevada may remain unreclaimed, prosperous communities round the Great Salt Lake will form a link between California and the Rocky Mountain States and irrigation may create habitable oases along the courses of some of the rivers. With more frequent communication, local peculiarities and local habits of thought diminish; the South grows every day less distinctively Southern, and country-folk are more influenced by city ideas. There is now not a single State with any material interest that could be benefited, none with any sentiment that would be

gratified, by separation from the body of the Union. No great question has arisen tending to bind States into groups and stimulating them to joint action. The chief problems which lie before the country wear an aspect substantially the same in its various sections, and public opinion is divided on them in those sections upon lines generally similar. In a word, the fact that the government is a Federal one does not at this moment seem to make any difference to the cohesion of the body politic: the United States are no more likely to dissolve than if they were a unitary republic like France or a unified monarchy like Italy.

As secession is improbable, so also is the extinction of the several States by absorption into the central government. It was generally believed in Europe, when the North triumphed over secession in 1865, that the Federal system was virtually at an end. The legal authority of Congress and the President had been immensely developed during the struggle; a powerful army, flushed with victory, stood ready to enforce that authority; and there seemed reason to think that the South, which had fought so stubbornly, would have to be kept down during many years by military force. However, none of these apprehended results followed. The authority of the central government presently sank back within its former limits, some of the legislation based on the constitutional amendments which had extended it for certain purposes being cut down by judicial decision. The army was disbanded; self-government was soon restored in the lately insurgent States, and the upshot of the years of civil war and reconstruction has been, while extinguishing the claim of

State sovereignty, to replace the formerly admitted State rights upon a legal basis as firm as they ever occupied before. At this moment State rights are in question only so far as certain economic benefits might be obtained by a further extension of Federal authority, nor has either party an interest in advocating the supersession of State action in any department of government. The conservatism of habit and well-settled legal doctrine which would resist any such proposal is very strong. State autonomy, as well as local government within each State, is prized by every class in the community, and bound up with the personal interest of those who feel that these comparatively limited spheres offer a scope to their ambition which a wider theatre might deny.

It is nevertheless impossible to ignore the growing strength of the centripetal and unifying forces. I have already referred to the influence of easier and cheaper communications of commerce and finance, of the telegraph, of the filling up of the intermediate vacant spaces in the West. There is an increasing tendency to invoke congressional legislation to deal with matters, such as railroads, which cannot be adequately handled by State laws, or to remove divergencies, such as those in the law of marriage and divorce, which give rise to practical inconveniences. So the various parties which profess to champion the interests of the farmers or of workingmen recur to the Federal government as the only agency strong enough and wide-reaching enough to give effect to their proposals, most of which indeed would obviously be impracticable if tried in the narrow area of one or a few States. State patriotism, State rivalry, State vanity, are no doubt still conspicuous, yet the political

interest felt in State governments is slighter than it was before the Civil War, while national patriotism has become warmer and more pervasive. The *rôle* of the State is socially and morally, if not legally, smaller now than it then was, and ambitious men look on a State legislature as little more than a stepping-stone to Congress. Moreover, the interference of the Federal Executive to suppress by military power disorders which State authorities have seemed unable or unwilling to deal with has shown how great a reserve of force lies in its hands, and has led peace-loving citizens to look to it as their ultimate resort in troublous times. It would be rash to assert that disjunctive forces will never again reveal themselves, setting the States against the National government, and making States' Rights once more a matter of practical controversy. But any such force is likely, so far as we can now see, to prove transitory, whereas the centripetal forces are permanent and secular forces, working from age to age. Wherever in the modern world there has been a centrifugal movement, tending to break up a State united under one government, or to loosen the cohesion of its parts, the movement has sprung from a sentiment of nationality, and has been reinforced, in almost every case, by a sense of some substantial grievance or by a belief that material advantages were to be secured by separation. The cases of Holland and Belgium, of Hungary and Germanic Austria, of the Greeks and Bulgarians in their struggles with the Turks, of Iceland in her struggle with Denmark, all illustrate this proposition. When such disjunctive forces are absent, the more normal tendency to aggregation and centralization prevails. In the

United States all the elements of a national feeling are present, race,° language, literature, pride in past achievements, uniformity of political habits and ideas; and this national feeling which unifies the people is reinforced by an immensely strong material interest in the maintenance of a single government over the breadth of the continent. It may therefore be concluded that while there is no present likelihood of change from a Federal to a consolidated republic, and while the existing legal rights and functions of the several States may remain undiminished for many years to come, the importance of the States will decline as the majesty and authority of the National government increase.

The next question to be asked relates to the component parts of the National government itself. Its equilibrium stands now as stable as at any former epoch. Yet it has twice experienced violent oscillations. In the days of Jackson,° and again in those of Lincoln,° the Executive seemed to outweigh Congress. In the days of Tyler,° Congress threatened the Executive, while in those of Andrew Johnson° it reduced the Executive to impotence. That no permanent disturbance of the balance followed the latter of these oscillations shows how well the balance had been adjusted. There is nothing now to show that any one department is gaining on any other, though whenever the President is personally a strong man, the Executive may seem to be dominating Congress. The Judiciary seemed in 1890 to have less discretionary power than they had exerted fifty years earlier, for by their own decisions they had narrowed the scope of their discretion, determining points in which, had they remained open, their personal

impulses and views might have had room to play. But soon after new groups of questions arose, raising new issues for judicial determination, nor have the rulings of the Supreme Court ever involved larger interests or been awaited with more eager curiosity than were those delivered in 1908 and the immediately succeeding years. Congress has been the branch of government with the largest facilities for usurping the powers of the other branches, and probably with the most disposition to do so. Congress has constantly tried to encroach both on the Executive and on the States, sometimes, like a wild bull driven into a corral, dashing itself against the imprisoning walls of the Constitution. But although Congress has succeeded in occupying nearly all of the area which the Constitution left vacant and unallotted between the several authorities it established, Congress has not become any more distinctly than in earlier days the dominant power in the State, the organ of national sovereignty, the irresistible exponent of the national will. In a country ruled by public opinion, it could hold this position only in virtue of its capacity for leading opinion, that is to say, of its courage, promptitude, and wisdom. Since it grows in no one of these qualities, it wins no greater ascendency; indeed its power, as compared with that of public opinion, seems rather to decline. Its division into two co-ordinate Houses is no doubt a source of weakness as well as of safety. Yet what is true of Congress as a whole is true of each House taken separately. The Senate, to which the eminence of many individual senators formerly gave a moral ascendency, has lost as much in the intellectual authority of its members as it has gained in

their wealth. The House, with its far greater numbers and its far greater proportion of inexperienced members, suffers from the want of internal organization, and seems unable to keep pace with the increasing demands made on it for constructive legislation. Now and then the helplessness of the House when a party majority happens to be torn by internal dissensions, or the workings of self-interest visible in the Senate, when the animosities or personal aims of individual senators or groups retard or confuse its action, causes delays and leads to compromises or half measures which exasperate even this all too patient people. One is sometimes inclined to think that Congress might lose its hold on the esteem and confidence of the nation, and sink into a subordinate position, were there any other authority which could be substituted for it. There is, however, no such authority, for law-making cannot be given to a person or to a court, while the State legislatures have the same faults as Congress in a greater degree. We may accordingly surmise that Congress will retain its present place; but so far as can be gathered from present phenomena, it will retain this place in respect not of the satisfaction of the people with its services, but of their inability to provide a better servant.

The weakness of Congress is the strength of the President. Though it cannot be said that his office has grown in power or dignity since the days when it was held by Washington, there are reasons for believing that it has been rising to a higher point than it has occupied at any time since the Civil War. The tendency everywhere in America to concentrate power and responsibility in one man is unmistakable. There is no

danger that the President should become a despot, that is, should attempt to make his will prevail against the will of the majority But he may have a great part to play as the leader of the majority and the exponent of its will. He is in some respects better fitted both to represent and to influence public opinion than Congress is. No doubt he suffers from being the nominee of a party, because this draws on every act he does the hostility of zealots of the opposite party. But the number of voters who are not party zealots increases, increases from bad causes as well as from good causes; for as a capable President sways the dispassionately patriotic, so a crafty President can find means of playing upon those who have their own ends to serve. A vigorous personality attracts the multitude, and attracts it the more the huger it grows and the more the characteristic weaknesses of an assembly stand revealed; while a chief magistrate's influence, though his political opponents may complain of it, excites little alarm when exerted in leading a majority which acts through the constitutional organs of government. There may therefore be still undeveloped possibilities of greatness in store for the Presidents of the future. But as these possibilities depend, like the possibilities of the British and German Crowns, perhaps one may add of the Papacy, on the wholly unpredictable element of personal capacity in the men who may fill the office, we need speculate on them no further.

From the organs of government I pass to the party system, its machinery and its methods. Nothing in recent history suggests that the politicians who act as party managers are disposed either to loosen the grip

with which their organization has clasped the country, or to improve the methods it employs. Changes in party measures there will of course be in the future, as there have been in the past; but the professionals are not the men to make them changes for the better. The Machine will not be reformed from within: it must be assailed from without. Three heavy blows have been struck at it. The first was the Civil Service Reform Act° of 1883. If this Act continues to be honestly administered, and its principle extended to other Federal offices, if States and cities follow, as a few have done, in the wake of the National government, the Spoils System may be rooted out, and with that system the power of the Machine will crumble. The Spoils System has stood since Jackson's days,° and the bad habits it has formed cannot at once be unlearned. But its extinction will deprive professionals of their chief present motive for following politics. The tares which now infest the wheat will presently wither away, and the old enemy° will have to sow a fresh crop of some other kind. The second blow has been the passing of secret ballot laws and other measures which have reduced the opportunities for tampering with elections, and have made them purer. And the third has been that uprising of independent citizens which has induced the enactment of the so-called Primary Laws,° intended to take nominations out of the hands of the Machine and place them in those of the voters as a whole. Whether these laws succeed or not, they testify to a new spirit among the better citizens, impatient of the perversion of republican institutions to selfish ends. There is now often seen in State and municipal elections, a strong group of inde-

pendent men pledged to vote for honest candidates irrespective of party. The absence for a number of years past of genuine political issues dividing the two parties, if it has worked ill in taking moral and intellectual life out of the parties, and making their contests mere scrambles for office, has worked well in disposing intelligent citizens to sit more loose to party ties, and to consider, since it is really on men rather than on measures that they are required to vote, what the personal merits of candidates are. In and after 1840, at the time when the fruits of Jacksonism, that is to say, of wild democratic theory coupled with sordid and quite undemocratic practice, had begun to be felt by thoughtful persons, the urgency of the slavery question compelled the postponement of reforms in political methods, and made patriotic men fling themselves into party warfare with unquestioning zeal. When the winning of elections, no less than the winning of battles, meant the salvation of the Union, no one could stop to examine the machinery of party. For ten years after the war, the party which was usually in the majority in the North was the party which had saved the Union, and on that score commanded the devotion of its old adherents; while the opposite party was so much absorbed in struggling back to power that it did not think of mending its ways. But when the war issues had been practically settled and dismissed, public-spirited citizens at last addressed themselves to the task, which ought to have been undertaken in 1850, of purifying politics. Their efforts began with city government, where the evils were greatest, but have now become scarcely less assiduous in State and national politics.

Will these efforts continue, and be crowned by a growing measure of success?

To a traveller revisiting America at intervals, the progress seems to be steadily though very slowly upward. This is also the belief of those Americans who, having most exerted themselves in the struggle against Bosses and spoilsmen, have had most misrepresentation to overcome and most disappointments to endure. The Presidents of this generation are abler and more high-minded men than those of 1834–1860, and neither the members of a knot of party managers nor its creatures. The poisonous influence of slavery is no longer felt. There is every day less of sentimentalism, but not less of earnestness in political discussions. There is less blind obedience to party, less disposition to palliate sins committed from party motives. The standard of purity among public men, especially in the Federal government, is higher. The number of able men who occupy themselves with scientific economics and politics is larger, their books and articles are more widely read. The press more frequently helps in the work of reform: the pulpit deals more largely with questions of practical philanthropy and public morals. That it should be taken as a good sign when the young men of a city throw themselves into politics, shows that the new generation is believed to have either a higher sense of public duty or a less slavish attachment to party ties than that whose votes ruled from 1870 till 1890. Above all, the nation is less self-sufficient and self-satisfied than it was in days when it had less to be proud of. In the middle of last century the Americans walked in a vain conceit of their own greatness and freedom and scorned instruc-

tion from the effete monarchies of the Old World, which repaid them with contemptuous indifference. No despot ever exacted more flattery from his courtiers than they from their statesmen. Now when Europe admires their power, envies their wealth, looks to them for instruction in not a few subjects, they have become more modest, and listen willingly to speakers and writers who descant upon their failings. They feel themselves strong enough to acknowledge their weaknesses, and are anxious that the moral life of the nation should be worthy of its expanding fortunes. As these happy omens have become more visible from year to year, there is a reasonable presumption that they represent a steady current which will continue to work for good. To judge of America rightly the observer must not fix his eye simply upon her present condition, seeking to strike a balance between the evil and the good that now appear. He must look back at what the best citizens and the most judicious strangers perceived and recorded seventy, forty, twenty years ago, and ask whether the shadows these men saw were not darker than those of to-day, whether the forecasts of evil they were forced to form have not in many cases been belied by the event. Tocqueville was a sympathetic as well as penetrating observer. Many of the evils he saw, and which he thought inherent and incurable, have now all but vanished. Other evils have indeed revealed themselves which he did not discern, but these may prove as transient as those with which he affrighted European readers in 1834. The men I have met in America, whose recollections went back to the fourth decade of last century, agreed in saying that there was in those days a more

violent and unscrupulous party spirit, a smaller respect for law, a greater disposition to violence, less respect for the opinion of the wise, a completer submission to the prejudices of the masses, than we see to-day. No ignorant immigrants had yet arrived upon the scene, but New York was already given over to spoilsmen. Great corporations had scarcely arisen; yet corruption was neither uncommon nor fatal to a politician's reputation. A retrospect which shows us that some evils have declined or vanished while the regenerative forces are more numerous and more active in combating new mischiefs than they ever were before, encourages the belief that the general stream of tendency is towards improvement, and will in time bring the public life of the country nearer to the ideal which democracy is bound to set before itself.

When the Americans say, as they often do, that they trust to time, they mean that they trust to reason, to the generally sound moral tone of the multitude, to a shrewdness which after failures and through experiment learns what is the true interest of the majority, and finds that this interest coincides with the teachings of morality. They can afford to wait, because they have three great advantages over Europe, — an absence of class distinctions and class hatred, a diffusion of wealth among an immense number of small proprietors all interested in the defence of property, an exemption from chronic pauperism and economical distress, work being at most times abundant, many careers open, the still undeveloped parts of the West providing a safety valve available in times of depression. With these advantages the Americans conceive that were their country now left

entirely to itself, so that full and free scope could be secured to the ameliorative forces, political progress would be sure and steady; the best elements would come to the top, and when the dregs had settled the liquor would run clear.

In a previous chapter I have observed that this sanguine view of the situation omits two considerations. One is that the country is not being left to itself. European immigration continues, and though more than half of the immigrants may make valuable citizens, the remainder, many by their political ignorance and instability, some few by their proneness to embrace anti-social doctrines, are a source of danger to the community, lowering its tone, providing material for demagogues to work on, threatening outbreaks like those of Pennsylvania in 1877, of Cincinnati in 1884, of Chicago in 1886 and 1894,° of large districts in the West in 1893° and subsequently.

The other fact to be borne in mind is of still graver import. There is a part of the Atlantic where the westward speeding steam-vessel always expects to encounter fogs. On the fourth or fifth day of the voyage, while still in bright sunlight, one sees at a distance a long low dark-gray line across the bows, and is told this is the first of the fog-banks which have to be traversed. Presently the vessel is upon the cloud, and rushes into its chilling embrace, not knowing what perils of icebergs may be shrouded within the encompassing gloom. So America, in her swift onward progress, sees, looming on the horizon and now no longer distant, a time of mists and shadows, wherein dangers may lie concealed whose form and magnitude she can scarcely yet conjecture. As she fills

up her western regions with inhabitants, she sees the time approach when all the best land, even that which the extension of irrigation has made available, will have been occupied, and when the land now under cultivation will have been so far exhausted as to yield scantier crops even to more expensive culture. Although transportation may also have then become cheaper, the price of food will rise; farms will be less easily obtained and will need more capital to work them with profit; the struggle for existence will become more severe. And while the outlet which the West now provides for the overflow of the great cities will have become less available, the cities will have grown immensely more populous; pauperism, now confined to some six or seven of the greatest, may be more widely spread; and even if wages do not sink work may be less abundant. In fact the chronic evils and problems of old societies and crowded countries, such as we see them to-day in Europe, will have reappeared on this new soil, while the demand of the multitude to have a larger share of the nation's collective wealth may well have grown more insistent.

High economic authorities pronounce that the beginnings of this time of pressure lie only a few years ahead. All of the best arable land in the West is already occupied; much even of the second and third best is already under cultivation; and unless agricultural science renders further aid, the exhaustion already complained of in farms which have been under the plough for three or four decades will be increasingly felt. It may be a time of trial for democratic institutions. The future of the United States during the next half century sometimes presents itself to the mind as a

struggle between two forces, the one beneficent, the other malign, the one striving to speed the nation on to a port of safety before this time of trial arrives, the other to retard its progress, so that the tempest may be upon it before the port is reached. And the question to which one reverts in musing on the phenomena of American politics is this — Will the progress now discernible towards a wiser public opinion and a higher standard of public life succeed in bringing the mass of the people up to the level of what are now the best districts in the country before the days of pressure are at hand? Or will existing evils prove so obstinate, and European immigration so continue to depress the average of intelligence and patriotism among the voters, that when the struggle for life grows far harder than it now is, the masses will yield to the temptation to abuse their power and will seek violent, and because violent, probably vain and useless remedies, for the evils which will afflict them? Some such are indeed now proposed, and receive a support which, small as it is, is larger than any one would in 1870 have predicted for them.

If the crisis should arrive while a larger part of the population still lacks the prudence and self-control which a democracy ought to possess, what result may be looked for? This is a question which no experience from similar crises in the past helps us to answer, for the phenomena will be new in the history of the world. There may be pernicious experiments tried in legislation. There may be — indeed there have been already — occasional outbreaks of violence. There may even be, though nothing at present portends it, a dislocation of the present frame of government. One thing, however,

need not be apprehended, the thing with which alarmists most frequently terrify us: there will not be anarchy. The forces which restore order and maintain it when restored are as strong in America as anywhere else in the world.

While admitting the possibility of such a time of strife and danger, he who has studied America will not fail to note that she will have elements of strength for meeting it which are lacking in some European countries. The struggles of labour and capital, though they have of late years become more virulent, do not seem likely to take the form of a widely prevailing enmity between classes. The distribution of landed property among a great many small owners is likely to continue. The habits of freedom, together with the moderation and self-control which they foster, are likely to stand unimpaired, or to be even confirmed and mellowed by longer use. The restraining and conciliating influence of religion is stronger than in France or Germany, and more enlightened than in those continental countries where religion now seems strongest. I admit that no one can say how far the United States of fifty years hence will in these respects resemble the United States of to-day. But if we are to base our anticipations on the facts of to-day, we may look forward to the future, not indeed without anxiety, when we mark the clouds that hang on the horizon, yet with a hope that is stronger than anxiety.

SOCIAL AND ECONOMIC FUTURE[1]

If it be hard to forecast the development of political institutions and habits, how much harder to form a conception of what the economic and social life of the United States will have become when another half-century of marvellously swift material progress has quintupled its wealth and tripled its population; and when the number of persons pursuing arts and letters, and educated to enjoy the most refined pleasures of life, will have become proportionately greater than it is now. The changes of the last fifty years, great as they have been, may then prove to have been no greater than those which the next fifty will have brought. Prediction is even more difficult in this sphere than in the sphere of government, because the forces at work to modify society are more numerous, as well as far more subtle and complex, and because not only the commercial prosperity of the country, but its thought and culture are more likely than its politics to be affected by the course of events in the Old World. All I can attempt is, as in the last preceding chapter, to call attention to some of the changes which are now in progress, and to conjecture whether the phenomena we now observe are due to permanent or to transitory causes. I shall speak first of economic changes and their influence on certain current problems, next to the movements of popula-

[1] *The American Commonwealth*, Chapter CXXIII.

tion and possible alterations in its character, lastly, of the tendencies which seem likely to continue to affect the social and intellectual life of the nation.

The most remarkable economic feature of the years that have elapsed since the war has been the growth of great fortunes. There is a passage in the *Federalist*, written in 1788, which says, "the private fortunes of the President and Senators, as they must all be American citizens, cannot possibly be sources of danger." Even in 1833, Tocqueville was struck by the equal distribution of wealth in the United States and the absence of capitalists. To-day, however, there are more great millionaires, as well as more men with a capital of from $500,000 to $2,000,000, in America than in any other country; and before 1950 it may probably contain as many large fortunes as will exist in all the countries of Europe put together. Nor are these huge accumulations due to custom and the policy of the law, which have in England kept property, and especially landed property, in the hands of a few by the so-called custom of primogeniture,° whereas in the United States the influence of law has tended the other way. An American testator usually distributes his wealth among his children equally. However rich he may be, he does not expect his daughters to marry rich men, but is just as willing to see them mated to persons supporting themselves by their own efforts. And he is far more inclined than Europeans are to bestow large part of his wealth upon objects of public utility, instead of using it to found a family. In spite of these dispersing forces, great fortunes grow with the growing wealth of the country, and the opportunities it offers of amassing enormous piles by bold operations.

Even an unspeculative business may, if skilfully conducted, bring in greater gains than can often be hoped for in Europe, because the scale of operations is in America so large that a comparatively small percentage of profit may mean a very large income. These causes are likely to be permanent; nor can any legislation that is compatible with the rights of property as now understood, do much to restrict them. We may therefore expect that the class of very rich men, men so rich as to find it difficult to spend their income in enjoying life, though they may go on employing it in business, will continue to increase.

It may be suggested that the great fortunes of to-day are due to the swift development of the West, so that after a time they will cease to arise in such numbers, while those we now see will have been scattered. The development of the West must, however, continue at least till the middle of the century; and though the wealthy seldom seek to keep their wealth together after their death by elaborate devices, many are the sons of the rich who start with capital enough to give them a great advantage for further accumulation. There are as yet comparatively few careers to compete with business; nor is it as easy as in Europe to spend a fortune on pleasure. The idle rich of America, who, though relatively few, are numerous enough to form a class in the greatest Atlantic cities, are by no means the most contented class in the country.

The growth of vast fortunes has helped to create a political problem, for they become a mark for the invective of the more extreme sections of the Labor or Socialist parties.° But should the Collectivist propa-

ganda° so far prosper as to produce legislative attacks upon accumulated wealth, such attacks will be directed (at least in the first instance), not against individual rich men, but against incorporated companies, since it is through corporations that wealth has made itself obnoxious. Why the power of these bodies should have grown so much greater in the United States than in Europe, and why they should be more often controlled by a small knot of men, are questions too intricate to be here discussed. Companies are in many ways so useful that any general diminution of the legal facilities for forming them seems improbable; but I conceive that they will be even more generally than hitherto subjected to special taxation; and that their power of taking and using public franchises will be still further restricted. He who considers the irresponsible nature of the power which three or four men, or perhaps one man, can exercise through a great corporation, such as a railroad or telegraph company, the injury they can inflict on the public as well as on their competitors, the cynical audacity with which they have often used their wealth to seduce officials and legislators from the path of virtue, will find nothing unreasonable in the desire of the American masses to regulate the management of the corporations and narrow the range of their action. The same remark applies, with even more force, to combinations of men not incorporated but acting together, the so-called Trusts, *i.e.* commercial rings or syndicates. The next few years or even decades may be largely occupied with the effort to deal with these phenomena of a commercial system far more highly developed than the world has yet seen elsewhere. The economic ad-

vantages of the amalgamation of railroads and the tendency in all departments of trade for large concerns to absorb or supplant small ones, are both so marked that problems of this order seem likely to grow even larger and more urgent than they now are. Their solution will demand, not only great legal skill, but great economic wisdom.

Of the tendency to aggregation there are happily few signs so far as relates to agriculture. Almost the only great landed estates are in the Far West, particularly in California, where they are a relic from Spanish days, together with some properties held by land companies or individual speculators in the Upper Mississippi States, properties which are being generally sold in small farms to incoming settlers. The census returns of 1900 and of 1910 did no doubt show an increase in the number of persons who hire from others the lands they till. While the increase in the number of farms cultivated by the owner during the decade ending with the latter year was only 8.1 per cent, that of farms rented for money by the cultivator was 9.9 per cent, and that of farms rented for a share of the products 20.0 per cent. This may, however, be due partly to the growth of small negro farms in the South, partly to the disposition of many Western farmers to retire from active labour when old age approaches, letting their farms, and living on the rent thereof, partly also to the buying up of lands near a "boom town" by speculators for a rise. Taking the country as a whole, there is no indication of any serious change to large properties.° In the South, large plantations are more rare than before the war, and much of the cotton crop is raised by peasant farmers, as the increase

in the number of farms returned in 1910 proves. It is of course possible that cultivation on a large scale may in some regions turn out to be more profitable than that of small freeholders: agriculture as an art may be still in its infancy, and science may alter the conditions of production in this highly inventive country. But at present nothing seems to threaten that system of small proprietors tilling the soil they live on which so greatly contributes to the happiness and stability of the commonwealth. The motives which in Europe induce rich men to buy large estates are here wholly wanting, for no one gains either political power or social status by becoming a landlord.

Changes in economic conditions have begun to bring about changes in population which will work powerfully on the future of society and politics. One such change has been passing on New England during the last twenty years. Its comparatively thin and ungenial soil, which has generally hard rock at no great depth below the surface, and has been cultivated in many places for nigh two hundred years, has been unable to sustain the competition of the rich and virgin lands of the West. The old race of New England yeomen have accordingly mostly sold or abandoned their farms and migrated to the upper valley of the Mississippi, where they make the prosperity of the North-western States. The lands which they have left vacant are frequently occupied by immigrants, sometimes French Canadians, but chiefly Irish, with some Poles and other Slavs and a few Italians, for comparatively few Germans settle in rural New England; and thus that which was the most purely English part of America is now becoming one of the least English,

since the cities also are full of Irish, Jews, Slavs, and Canadians. In Massachusetts, for instance, the persons of foreign birth were in 1910 31.5 per cent of the population, while the foreign born and their children were more than half. In Rhode Island the percentages of foreigners are even higher. It is impossible not to regret the disappearance of a picturesquely primitive society which novelists and essayists have made familiar to us, with its delightful mixture of homely simplicity and keen intelligence. Of all the types of rustic life which imagination has since the days of Theocritus° embellished for the envy or refreshment of the dwellers in cities, this latest type has been to English readers the most real and not the least attractive. It has now almost entirely passed away; nor will the life of the robust sons of the Puritans in the North-western prairies, vast and bare and new, reproduce the idyllic quality of their old surroundings. But the Irish squatters on the forsaken farms rear their children under better conditions than do those either of the American cities or of the island of their birth, and they are replenishing New England with a vigorous stock.

Another change is now beginning to be seen, for immigration is already turning from the North-west towards the Southern region, the far greater part of which has remained until now undeveloped. Western North Carolina, Northern Georgia and Alabama, and eastern Tennessee possess enormous mineral deposits, only a few of which have yet begun to be worked. There are also splendid forests; there is in many places, as for instance in the vast swamp regions of Florida, a soil believed to be fertile, much of it not yet brought under

cultivation; while the climate is not, except in a very few low maritime tracts, too hot for white labour. As the vacant spaces of the West are ceasing to be able to receive the continued influx of settlers, even with the room which has been made by the migration of farmers into the Western provinces of Canada, these Southern regions will more and more attract settlers from the Northern and Western States, and these will carry with them habits and ideas which may further quicken the progress of the South, and bring her into a more perfect harmony with the rest of the country.

The mention of the South raises a group of questions, bearing on the future of the Negro and the relations he will sustain to the whites, which need not be discussed here, as they have been dealt with in preceding chapters (Chapters XCIII to XCV). The alarm which the growth of the coloured people formerly excited was allayed by the census of 1890, which showed that they increase more slowly than the whites, even in the South, and form a constantly diminishing proportion of the total population of the country. The negro is doubtless a heavy burden for American civilization to carry. No problems seem likely so long to confront the nation, and so severely to tax the national character on its moral side, as those which his presence raises. Much patience will be needed, and much sympathy. The negroes, however, are necessary to the South, which has not enough white workers; and their labour is helpful not only to the agriculturist but also to the mine-owners and iron-masters of the mining regions I have just referred to. Their progress since emancipation has been more rapid than those who saw them in slavery expected, for no

section has relapsed into sloth and semi-barbarism, while in many districts there has been a steady rise in education, in intelligence, in thrift, and in the habit of sustained industry. The relation of the two races, though it presents some painful features, is not, on the whole, one of hostility, and contains no present elements of political danger. Though the great majority of the negroes are now excluded from the exercise of the suffrage, their condition is not the same as though that gift had never been bestowed, for the fact that the negro is legally a citizen has raised both the white's view of him and his own view of himself. Thoughtful observers in the South seem to feel little anxiety, and expect that for many years to come the negroes, naturally a good-natured and easy-going race, will be content with the position of an inferior caste, doing the humbler kinds of work, but gradually permeated by American habits and ideas, and sending up into the walks of commercial and professional life a slowly increasing number of its most capable members. It might be thought that this elevating process would be accelerated by the sympathy of the coloured people at the North, who, as they enjoy greater educational opportunities, might be expected to advance more quickly. But the negro race increases comparatively slowly to the north of latitude 60°, and does not make sufficient progress in wealth and influence° to be able to help its Southern members.

Two other questions relating to changes in population must be adverted to before we leave this part of the subject. There are Europeans who hold — and in this physiologically-minded age it is natural that men should hold — that the evolution of a distinctively American

type of character and manners must be still distant, because the heterogeneous elements of the population (in which the proportion of English blood is far smaller now than it was in 1850) must take a long time to become mixed and assimilated. This is a plausible view; yet I doubt whether differences of blood have the importance which it assumes. What strikes the traveller, and what the Americans themselves delight to point out, is the amazing solvent power which American institutions, habits, and ideas exercise upon newcomers of all races. The children of Irishmen, Germans, and Scandinavians are certainly far more like native Americans than the current views of heredity would have led us to expect; nor is it without interest to observe that Nature has here repeated on the Western continent that process of mixing Celtic with Germanic and Norse blood which she began in Britain more than a thousand years ago. The ratio borne by the Celtic elements in the population of Great Britain (*i.e.* the Picts and Gaels° of northern Britain and those of the Cymry° of middle and western Britain who survived the onslaught of the Angles and Saxons° in the fifth and sixth centuries) to the Teutonic (Low German° and Norse) elements in that population as it stood in the seventeenth century, when England began to colonize North America, may probably be a ratio not much smaller than that which the Irish immigrants to America bear to the German immigrants: so that the relative proportions of Celtic and Teutonic blood, as these proportions may be taken to have existed in the Americans of a hundred years ago, have not been greatly altered by Irish and the German immigration.°

On the whole, we may conclude that the intellectual

and moral atmosphere into which the settlers from Europe come has more power to assimilate them than their race qualities have power to change it; and that the future of America will be less affected by this influx of new blood, even Italian and Slavonic blood, than any one who has not studied the facts on the spot can realize. The influence of European immigration is so far to be traced, not in any tingeing of the national character, but economically in the amazingly swift growth of the agricultural West, and politically in the unfortunate results it has had upon the public life of cities, in the outbreaks of savage violence which may be traced to it, particularly in the mining districts, and in the severe strain it has put on universal suffrage. Another possible source of evil has caused disquiet. The most conspicuous evidence of American prosperity has been hitherto seen in the high standard of living to which the native working classes of the North have risen, in the abundance of their food and the quality of their clothing, in the neatness and comfort of their homes, in the decent orderliness of their lives, and the fondness for reading of their women. The Irish and German settlers of last century, though at first behind the native Americans in all these respects, have now risen to their level and, except in a few of the larger cities, have adopted American standards of comfort. Will the same thing happen with the new swarms of European immigrants who have been drawn from their homes in the eastern parts of Central Europe by the constant cheapening of ocean transit and by that more thorough drainage, so to speak, of the inland regions of Europe which is due to the extension of railways?°

Some have feared that possibly these immigrants,

coming from a lower stratum of civilization than the German immigrants of the past, and, since they speak foreign tongues, less quickly amenable to American influences than are the Irish, retain their own low standard of decency and comfort, and menace the continuance among the white work people of that far higher standard which has hitherto prevailed. But experience has hitherto shown that these latest comers, though they live far more roughly than native Americans, soon cease to be content with lower wages, so if they do depress the average of decent living, it will not be through underbidding the older inhabitants.

The intrusion of new inauspicious elements is not the only change in the population which may cause anxiety. For many years past there has been an indraught of people from the rural districts to the cities. More than one-third of the whole population is now, it is estimated, to be found in cities with a population exceeding 8000, and the transfer of people from a rural to an urban life goes on all the faster because it is due not merely to economic causes, such as operate all the world over, and to the spirit of enterprise which is strong in the American youth, but also to the distaste which the average native American, a more sociable and amusement-loving being than the English or German peasant, feels for the isolation of farm life and the monotony of farm labour.° Even in 1844 R. W. Emerson wrote: "The cities drain the country of the best part of its population, the flower of the youth of both sexes goes into the towns, and the country is cultivated by a much inferior class." Since then the Western forests have been felled and the Western prairies brought under the plough by the stal-

wart sons of New England and New York. But now again, and in the West hardly less than in the East, the complaint goes up that native American men and women long for a city life, and gladly leave tillage to the newcomers from Germany and Scandinavia. To make rural life more attractive and so check the inflow to the cities, is one of the chief tasks of American statesmanship today. Fortunately, the introduction of the telephone, of electric car lines traversing the rural districts, of automobiles, and of a delivery of letters over the country are all tending to reduce the loneliness and isolation which have made country life distasteful.

Whether a city-bred population will have the physical vigour which the native rural population has shown — a population which in some of the Western States strikes one as perhaps more vigorous than any Europe can point to — is at least doubtful, for though American cities have sanitary advantages greater than those of most towns in Europe, the stress and strain of their city life is more exhausting. And it need scarcely be added that in the oldest and most highly civilized districts of the country, and among the wealthier or more refined classes of the people, the natural increase of population is much smaller than it is among the poorer and the ruder.

We have been wont to think of the principle of natural selection as that which makes for the progress of the race in mankind, as it has done in the other families of animated creatures. But in the most advanced communities this principle is apt to be reversed, and the section of the population which tends to propagate itself most largely is that very section which is least fitted to raise, or even to sustain, the intellectual and moral level, as

well as the level of physical excellence, already attained. Marriages are later and families smaller among the best nurtured and most cultivated class than they are among the uneducated and improvident; more children are born to the physically weak and morally untrained than to those among the rich whose natural gifts would in ages of violence, when men and families survived by physical and mental strength, have enabled them to prevail in the struggle for existence. Thus a force which once worked powerfully for the improvement of a national stock has now been turned the other way, and makes for a decline in the average capacities wherewith each man is born into the world. So in New England and the Eastern States generally, though there are a few families, historic by the number of eminent names they have produced, which still flourish and count their cousinhood by hundreds, it is nevertheless true that the original English stock, if it maintains its numbers (which seems in some parts of the country to be doubtful), grows less swiftly than do the immigrant stocks, and far less swiftly than it did a century ago.° Yet here also that assimilative power of which I have spoken comes to the help of the nation. Those who rise from the less cultivated classes, whether of native or foreign extraction, are breathed upon by the spirit of the country; they absorb its culture and carry on its traditions; and they do so all the more readily because the pervading sense of equality makes a man's entrance into a class higher than that wherein he was born depend solely on his personal qualities.

European readers may ask whether the swift growth not only of wealth but of great fortunes in the United States will not end in creating an aristocracy of rich

families, and therewith a new structure of society. I see no ground for expecting this, not merely because the wealthiest class passes down by imperceptible gradations of fortune to a working class far better off than the working classes of Europe, but also because the faith in equality and the love of equality are too deeply implanted in every American breast to be rooted out by any economic changes. They are the strongest beliefs and passions of the people. They make no small part of the people's daily happiness; and I can more easily imagine the United States turned into a monarchy on the one hand or a group of petty republics on the other than the aristocratic ideas and habits of Germany established on American soil. Social exclusiveness there may be, — signs of it are already discernible, — but visible and overt recognitions of differences of rank, whether in the use of hereditary titles, or in the possession by one class of special privileges, or in the habit of deference by one class to another, would imply a revolution in national ideas, and a change in what may be called the chemical composition of the national mind, which is of all things the least likely to arrive.

I have left to the last the most difficult problem which a meditation on the future of American society raises. From those first days of the Republic in which its people realized that they were Americans and no longer merely English colonists, it has been a question of the keenest interest for them, as it is now for the world, when and how and in what form they would develop a distinctively new and truly national type of character and genius. In 1844 Emerson said, addressing those who had lately seen the coincidence of two fateful phenomena — the

extension of railways into the West and the establishment of lines of swift ocean steamers to Europe —

"We in the Atlantic States by position have been commercial and have imbibed easily a European culture. Luckily for us, now that steam has narrowed the Atlantic to a strait, the nervous rocky West is intruding a new and continental element into the national mind, and we shall yet have an American genius. We cannot look on the freedom of this country in connection with its youth without a presentiment that here shall laws and institutions exist on some scale of proportion to the majesty of nature. To men legislating for the area between the two oceans, betwixt the snows and the tropics, somewhat of the gravity of nature will infuse itself into the code."

Since these words were spoken, many events have intervened to delay that full expression of the national gifts in letters and arts, as well as in institutions, by which a modern people must reveal the peculiar nature of its genius. Emerson would doubtless have admitted in 1874 that the West had contributed less of a "new and continental element" than he expected, and that the majesty of nature had not yet filled Congress with its inspiration. Probably another generation must arise, less preoccupied with the task of material development than the three last have been, before this expression can be looked for. Europe, which used to assume in its contemptuous way that neither arts nor letters could be expected from commercial America — as Charles Lamb° said that the whole Atlantic coast figured itself to him as one long counter spread with wares — Europe has now fallen into the opposite error of expecting the development of arts and letters to keep pace with and be im-

mediately worthy of the material greatness of the country. And the Americans themselves have perhaps, if a stranger may be pardoned the remark, erred in supposing that they made, either in the days of the first settlements or in those when they won their independence, an entirely new departure, and that their new environment and their democratic institutions rendered them more completely a new people than the children of England, continuing to speak the English tongue and to be influenced by European literature, could in truth have been expected to become. As Protestants have been apt to forget the traditions of the mediæval Church and to renounce the glories of St. Anselm° and St. Bernard° and Dante,° so the Americans of 1850 — for this is a mistake which they have now outgrown — sought to think of themselves as superior in all regards to the aristocratic society from which they had severed themselves, and looked for an elevation in their character and an originality in their literature which neither the amplitude of their freedom nor the new conditions of their life could at once produce in the members of an ancient people.

What will be either the form or the spirit of transatlantic literature and thought when they have fully ripened is a question on which I do not attempt to speculate, for the forces that shape literature and thought are the subtlest the historian has to deal with. I return to the humbler task of pointing to causes whose already apparent power is producing a society such as has never yet been seen in Europe. Nowhere in the world is there growing up such a vast multitude of intelligent, cultivated, and curious readers. It is true that of the whole

population a vast majority of the men read little but newspapers, and many of the women little but fiction. Yet there remains a number to be counted by millions who enjoy and are moved by the higher products of thought and imagination; and it must be that as this number continues to grow, each generation rising somewhat above the level of its predecessors, history, and science, and even poetry, will exert a power such as they have never yet exerted over the masses of any country. And the masses of America seem likely to constitute one-half of civilized mankind. There are those now living who may see before they die three hundred millions of men dwelling between the Atlantic and the Pacific, obeying the same government, speaking the same tongue, reading the same books. A civilized society like this is so much vaster than any which history knows of, that we can scarcely figure to ourselves what its character will be, nor how the sense of its immensity will tell upon those who address it. The range of a writer's power will be such as no writers have ever yet possessed; and the responsibility which goes hand in hand with the privilege of moving so great a multitude will devolve upon the thinkers and poets of England hardly less than upon those of America.

The same progress which may be expected in the enjoyment of literature and in its influence may be no less expected in the other elements of what we call civilization. Manners are becoming in America more generally polished, life more orderly, equality between the sexes more complete, the refined pleasures more easily accessible than they have ever yet been among the masses of any people. And this civilization attains a unity and

harmony which makes each part of the nation understand the other parts more perfectly, and enables an intellectual impulse to be propagated in swifter waves of light than has been the case among the far smaller and more ancient states of Europe.

While this unity and harmony strengthen the cohesion of the Republic, while this diffused cultivation may be expected to overcome the economic dangers that threaten it, they are not wholly favourable to intellectual creation, or to the variety and interest of life. I will try to explain my meaning by describing the impression which stamps itself on the mind of the stranger who travels westward by railway from New York to Oregon. In Ohio he sees communities which a century ago were clusters of log-huts among forests, and which are now cities better supplied with all the appliances of refined and even luxurious life than were Philadelphia and New York in those days. In Illinois he sees communities which were in 1848 what Ohio was in 1805. In the newer States of Wyoming and Washington he sees settlements not long emerged from a rudeness like that of primitive Ohio or Illinois, and reflects that such as Ohio is now, such as Illinois is fast becoming, such in a few years more will Wyoming and Washington have become, the process of development moving, by the help of science, with an always accelerated speed. "If I return this way twenty years hence," he thinks, "I shall see, except in some few tracts which nature has condemned to sterility, nothing but civilization, a highly developed form of civilization, stretching from the one ocean to the other; the busy, eager, well-ordered life of the Hudson will be the life of those who dwell on the

banks of the Yellowstone, or who look up to the snows of Mount Shasta° from the valleys of California." The Far West has hitherto been to Americans of the Atlantic States the land of freedom and adventure and mystery, the land whose forests and prairies, with trappers pursuing the wild creatures, and Indians threading in their canoes the maze of lakes, have touched their imagination and supplied a background of romance to the prosaic conditions which surround their own lives. All this is fast vanishing; and as the world has by slow steps lost all its mystery since the voyage of Columbus,° so America will from end to end be to the Americans even as England is to the English. What new background of romance will be discovered? Where will the American imagination of the future seek its materials when it desires to escape from dramas of domestic life? Where will bold spirits find a field in which to relieve their energies when the Western world of adventure is no more? As in our globe so in the North American continent, there will be something to regret when all is known and the waters of civilization have covered the tops of the highest mountains.

He who turns away from a survey of the government and society of the United States and tries to estimate the place they hold in the history of the world's progress cannot repress a slight sense of disappointment when he compares what he has observed and studied with that which idealists have hoped for, and Americans have desired to establish. "I have seen," he says, "the latest experiments which mankind have tried, and the last which they can ever hope to try under equally favouring conditions. A race of unequalled energy and unsurpassed

variety of gifts, a race apt for conquest and for the arts of peace, which has covered the world with the triumphs of its sword, and planted its laws in a hundred islands of the sea, sent the choicest of its children to a new land, rich with the bounties of nature, bidding them increase and multiply, with no enemies to fear from Europe, and few of those evils to eradicate which Europe inherits from its feudal past. They have multiplied till the sapling of two centuries ago overtops the parent trunk; they have drawn from their continent a wealth which no one dreamed of, they have kept themselves aloof from Old World strife, and have no foe in the world to fear; they have destroyed, after a tremendous struggle, the one root of evil which the mother country in an unhappy hour planted among them. And yet the government and institutions, as well as the industrial civilization of America, are far removed from that ideal commonwealth which European philosophers imagined, and Americans expected to create." The feeling expressed in these words, so often heard from European travellers, is natural to a European, who is struck by the absence from America of many of those springs of trouble to which he has been wont to ascribe the ills of Europe. But it is only the utterance of the ever-fresh surprise of mankind at the discovery of their own weaknesses and shortcomings. Why should either philosophers in Europe, or practical men in America have expected human nature to change when it crossed the ocean? when history could have told them of many ideals not less high and hopes not less confident than those that were formed for America which have been swallowed up in night. The vision of a golden age has often shim-

mered far off before the mind of men when they have passed through some great crisis, or climbed to some specular mount of faith, as before the traveller when he has reached the highest pastures of the Jura,° the line of Alpine snows stands up and glitters with celestial light. Such a vision seen by heathen antiquity still charms us in that famous poem of Virgil's° which was long believed to embody an inspired prophecy. Such another rejoiced the souls of pious men in the days of Constantine, when the Christian Church, triumphant over her enemies, seemed about to realize the kingdom of heaven upon earth. Such a one reappeared to the religious reformers of the sixteenth century,° who conceived that when they had purged Christianity of its corrupt accretions, the world would be again filled with the glory of God, and men order their lives according to His law. And such a vision transported men near the end of the eighteenth century,° when it was not unnaturally believed that in breaking the fetters by which religious and secular tyranny had bound the souls and bodies of men, and in proclaiming the principle that government sprang from the consent of all, and must be directed to their good, enough had been done to enable the natural virtues to secure the peace and happiness of nations. Since 1789 many things have happened, and men have become less inclined to set their hopes upon political reforms. Those who still expect a general amelioration of the world from sudden changes look to an industrial and not a political revolution, or seek in their impatience to destroy all that now exists, fancying that from chaos something better may emerge. In Europe, whose thinkers have seldom been in a less cheer-

ful mood than they are to-day, there are many who seem to have lost the old faith in progress; many who feel when they recall the experiences of the long pilgrimage of mankind, that the mountains which stand so beautiful in the blue of the distance, touched here by flashes of sunlight and there by shadows of the clouds, will when one comes to traverse them be no Delectable Mountains,° but scarred by storms and seamed by torrents, with wastes of stone above, and marshes stagnating in the valleys. Yet there are others whose review of that pilgrimage convinces them that though the ascent of man may be slow it is also sure; that if we compare each age with those which preceded it we find that the ground which seems for a time to have been lost is ultimately recovered, we see human nature growing gradually more refined, institutions better fitted to secure justice, the opportunities and capacities for happiness larger and more varied, so that the error of those who formed ideals never yet attained lay only in their forgetting how much time and effort and patience under repeated disappointment must go to that attainment.

This less sombre type of thought is more common in the United States than in Europe, for the people not only feel in their veins the pulse of youthful strength, but remember the magnitude of the evils they have vanquished, and see that they have already achieved many things which the Old World has longed for in vain. And by so much as the people of the United States are more hopeful, by that much are they more healthy. They do not, like their forefathers, expect to attain their ideals either easily or soon; but they say that they will continue to strive towards them, and they say it

with a note of confidence in the voice which rings in the ear of the European visitor, and fills him with something of their own sanguine spirit. America has still a long vista of years stretching before her in which she will enjoy conditions far more auspicious than any European country can count upon. And that America marks the highest level, not only of material well-being, but of intelligence and happiness, which the race has yet attained, will be the judgment of those who look not at the favoured few for whose benefit the world seems hitherto to have framed its institutions, but at the whole body of the people.

HOW TO OVERCOME THE OBSTACLES TO GOOD CITIZENSHIP[1]

In the preceding three lectures the chief hindrances to the discharge of civic duty have been considered. Let us now go on to inquire what can be done to remove these hindrances by grappling with those faults or weaknesses in the citizen to which they are due. When symptoms have been examined, one looks about for remedies.

We have seen that of the three causes assigned, Indolence, Selfish Personal Interest, and Party Spirit, the first is the most common, the second most noxious, the third the most excusable, yet also the most subtle, and perhaps the most likely to affect the class which takes the lead in politics and is incessantly employed upon its daily work. Whether the influence of these causes, or of any of them, is increasing with that more complete democratization of government which we see going on in Europe, is a question that cannot yet be answered. Fifty years may be needed before it can be answered, for new tendencies both for good and for evil are constantly emerging and affecting one another in unpredictable ways.

[1] From *The Hindrances to Good Citizenship.* Reprinted through the courtesy of the Yale University Press, holders of the copyright.

The remedies that may be applied to any defects in the working of governments are some of them Mechanical, some of them Ethical. By Mechanical remedies I understand those which consist in improving the structure or the customs and working devices of government, *i.e.* the laws and the institutions or political methods, by Ethical those which affect the character and spirit of the people. If you want to get more work and better work done in any industry, you may either improve the machinery, or the implements, by which the work is done, or else improve the strength and skill of the men who run the machinery and use the tools. In doing the former, you sometimes do the latter also, for when the workman has finer tools, he is led on to attempt more difficult work, and thus not only does his own skill become more perfect, but his interest in the work is likely to be increased.

Although in politics by far the most real and lasting progress may be expected from raising the intelligence and virtue of the citizens, still improvements in the machinery of government must not be undervalued. To take away from bad men the means and opportunities by which they may work evil, to furnish good men with means and opportunities which make it easier for them to prevent or overcome evil, is to render a great service. And as laws which breathe a high spirit help to educate the whole community, so does the presence of opportunities for reform stimulate and invigorate the best citizens in their efforts after better things.

I will enumerate briefly some of the remedies that may be classed as Mechanical because they consist in alterations of institutions or methods.

Two of these need only a few passing words, because they are so sweeping as to involve the whole fabric of government, and therefore too large to be discussed here.

One is propounded by those thinkers whom, to distinguish them from the persons who announce themselves as enemies of all society, we may call the Philosophical Anarchists, thinkers who are entitled to respectful consideration because their doctrine represents a protest that needs to be made against the conception of an all-engulfing State in which individual initiative and self-guided development might be merged and lost. They desire to get rid of the defects of government by getting rid of government itself; that is to say, by leaving men entirely alone without any coercive control, trusting to their natural good impulses to restrain them from harming one another. In such a state of things there would be no Citizenship, properly so called, but only the isolation of families, or perhaps of individuals — for it is not quite clear how far the family is expected to remain in the Anarchist paradise — an isolation more or less qualified by brotherly love. We are so far at present from a prospect of reaching the conditions needed for such an amelioration that it is enough to note this view and pass on.

A second and diametrically opposite cure for the evils of existing society comes from those who are commonly termed Socialists or Collectivists. It consists in so widely enlarging the functions of government as to commit to it not merely all the work it now performs of defending the country, maintaining order, enacting laws, and enforcing justice between man and man, but also the further work of producing and distributing all com-

modities, allotting to each man his proper labour and proper remuneration, or possibly, instead of giving any pecuniary remuneration, providing each man with what he needs for life. Under this régime two of the hindrances to good citizenship would be much reduced. There ought to be less indifference to politics when everybody's interest in the management of public concerns had been immensely increased by the fact that he found himself dependent on the public officials for everything. Nobody could plead that he was occupied by his own private business, because his private business would have vanished. So also selfish personal interest in making gains out of government must needs disappear when private property itself had ceased to exist. Whether, however, self-interest might not still find means of influencing public administration in ways beneficial to individual cupidity, and whether personal selfishness might not be even more dangerous, under such conditions, in proportion to the extended range and power of government, — this is another question which cannot be discussed till some definite scheme for the allotment of work and of remuneration (if any) shall have been propounded. Party Spirit would evidently, in a Collectivistic State, pass into new forms. It might, however, become more potent than ever before. But that again would depend on the kind of scheme for the reshaping of economic society that had been adopted.

We may pass from these suggestions for the extinction, or reconstruction on new lines, of the existing social and political system to certain minor devices for improving the structure and methods of government which

have been put forward as likely to help the citizen to discharge his duties more efficiently.

One of these is the system of Proportional Representation. It is argued that if electoral areas were created with more than two members each, and if each elector was either allowed to vote for a number of candidates less than the number to be chosen, or was allowed to concentrate all his votes upon one candidate, or more, according to the number to be chosen, two good results would follow. The will of the electors would be more adequately and exactly expressed, because the minority, or possibly more than one minority, as well as the majority, would have everywhere its representatives. The zeal of the electors would be stimulated, because in each district a section of opinion not large enough to have a chance of winning an election, if there were but one member, and accordingly now apathetic, because without hope, would then be roused to organize itself and to take a warmer interest in public affairs. The Proportional system is, therefore, advocated as one of those improvements in machinery which would react upon the people by quickening the pulses of public life. Some experiments have already been made in this direction. Those tried in England did not win general approval and have been dropped. That which is still in operation in the State of Illinois has not, if my informants are right, given much satisfaction. But the plan is said to work well both in Belgium and in some of the cantons of Switzerland; so one may hope that further experiments will be attempted. It deserves your careful study, but it is too complicated and opens too many side issues to be further discussed now and here.°

Attempts have been made in some places to overcome the indifference of citizens to their duty by fining those who, without sufficient excuse, fail to vote. This plan of Obligatory Voting, as it is called, finds favour in some Swiss cantons and in Belgium, but is too uncongenial to the habits of England or of the United States to be worth considering as a practical measure in either country. Moreover, the neglect to vote is no very serious evil in either country, at least as regards the more important elections. Swiss legislation on the subject is evidence not so much of indifference among the citizens of that country, as of the high standard of public duty they are expected to reach.

When we come to the proposals made both here and in England for the reference of proposals to a direct popular vote, we come to a question of real practical importance. I wish that I had time to state to you and to examine the arguments both for and against this mode of legislation, which has been practised for many years in Switzerland with a virtually unanimous approval, and has been applied pretty freely in some of your States. It has taken two forms. One is the so-called Initiative, under which a section of the electors (being a number, or a proportion, prescribed by law) may propose a law upon which the people vote. This is being tried in Switzerland, but so far as I have been able to gather, has not yet proved its utility. The balance of skilled opinion seems to incline against it. The other is called the Referendum, and consists in the submission to popular vote of measures already passed by the legislative body. In this form the reference of laws to the people undoubtedly sharpens the interest of the ordinary

citizens in the conduct of public affairs. The Swiss voters, at any rate, take pains to inform themselves on the merits of the measures submitted to them. These are widely and acutely canvassed at public meetings, and in the press. A large vote is usually cast, and all, whether or not they approve the result, agree that it is an intelligent, not a heedless, vote. The Swiss do not seem to think that the power and dignity of the legislature is weakened, as some might expect it to be, when their final voice is thus superseded by that of the people. All I need now ask you to note and remember is that the practice of bringing political issues directly before the people, whatever its drawbacks, does tend to diminish both that indolence and indifference which is pretty common among European voters. It requires every citizen to think for himself and deliver his vote upon all the more important measures, and it also reduces the power of that Party Spirit which everywhere distracts men's minds from the real merits of the questions before the country. When a law is submitted to the Swiss people for their judgment, their decision nowise affects either the Executive or the Legislature. The law may be rejected by the people, but the officials who drafted the law continue to hold office. The party which brought it in and carried it through the Legislature is not deemed to have been censured or weakened by the fact of its ultimate rejection. That party spirit is less strong in Switzerland than in any other free country (except perhaps Norway) may be largely attributed to this disjunction of the deciding voice in legislation from those governmental organs which every political party seeks to control. The Swiss voter is to-day an exceptionally

intelligent and patriotic citizen, fitter to exercise the function of direct legislation than perhaps any other citizen in Europe, and the practice of directly legislating has doubtless helped to train him for the function. It must, however, be admitted that the circumstances of that little republic and its cantons are too peculiar to make it safe to draw inferences from Swiss experiences to large countries like Britain and France, the political life of which is highly centralized. The States of your Union may appear to offer a better field, and the results of the various experiments which some of them (such as Oklahoma) are trying will be watched with interest by Europeans.

In considering the harm done to civic duty by selfish personal interest we were led to observe that the fewer points of contact between government and the pecuniary interest of private citizens, the better both for the purity of government and for the conscience of the private citizen. How far government ought to include within its functions schemes for increasing national wealth, otherwise than by such means (being means which a government alone can employ because to be effective they must be done on a great scale) as the improving of education, the diffusing of knowledge, the providing of means of transportation, the conservation of natural resources, and so forth, may be matter for debate. But at any rate government ought to avoid measures tending to enrich any one person or group of persons at the expense of the citizens generally. Common justice requires that. Accordingly, all contracts should be made on the terms best for the public, and if possible by open bidding. Franchises, if not reserved by the

public authority for itself, should be granted only for limited times and so as to secure the interests of the community, whether by way of a rent payable to the city or country treasury or otherwise. Public employees should not be made into a privileged class, to which there is given larger pay than other workers of the same class and capacity receive. All bills promoted by a private person, firm, or company looking to his or their pecuniary advantage ought to be closely scrutinized by some responsible public authority. In England we draw a sharp distinction between such bills and general public legislation, and we submit the former to a quasi-judicial examination by a Parliamentary committee in order to avoid possible jobs or scandals or losses to the public. As respects general legislation, *i.e.* that which is not in its terms local or personal, it may be difficult or impossible to prevent a law from incidentally benefiting one group or class of men and injuring another. But everything that can be done ought to be done to prevent any set of men from abusing legislation to serve their own interest. If there be truth in what one hears about the groups which in France, Belgium, and Germany have, through political pressure, obtained by law bounties benefiting their industries, or tariffs specially favourable to their own commercial enterprises, the danger that the general tax payer, or the consumer, may be sacrificed to these private interests, is a real danger. To remove the occasion and the opportunities for the exercise of such pressure, which is likely to be often exerted in a covert way and to warp or pervert the legislator's mind, is to diminish a temptation and to remove a stumbling-block that lies in the path of

civic duty. Whether a man be in theory a Protectionist or a Free Trader, whether or not he desires to nationalize public utilities, he must recognize the dangers incident to the passing of laws which influential groups of wealthy men may have a personal interest in promoting or resisting, because they offer a prospect of gain sufficiently large to make it worth while to "get at" legislatures and officials. Such dangers arise in all governments. That which makes them formidable in democracies is the fact that the interest of each individual citizen in protecting himself and the public against the selfish groups may be so small an interest that everybody neglects it, and the groups get their way.

As we have been considering improvements in the machinery of government, this would be a fitting place for a discussion of what you call Primary Election Laws, which are intended both to reduce the power of party organizations and to stimulate the personal zeal of the voter by making it easier for him to influence the selection of a candidate. We have, however, in Europe, nothing corresponding to the Primary Laws of American States, nothing which recognizes a political party as a concrete body, nothing which deals with the mode of selecting candidates; and many of you doubtless know better than I do what has been the effect of these American enactments and whether they have really roused the ordinary citizen to bestir himself and to assert his independence of such party organizations as may have heretofore interfered with it. Europeans do not take kindly to the notion of giving statutory recognition to a Party, and they doubt whether the astuteness of those whom you call "machine politicians" may not succeed

in getting hold of the new statutory Primaries as they did of the old ones. Be the merits of the new legislation what they may, one must hope that its existence will not induce the friends of reform to relax their efforts to reduce in other ways the power of political "Machines."

One obvious expedient to which good citizens may resort for keeping other citizens up to the mark is to be found in the enactment and enforcement of stringent laws against breaches of public trust. I took occasion, in referring to the practices of bribery and treating at elections, to note the wholesome effect of the statute passed in England in 1883 for repressing these offences. Although St. Paul has told us that he who is under grace does not need to be under the law,° Christianity has not yet gone far enough to enable any of us to dispense with the moral force law can exert, both directly through the penalties it imposes and indirectly through the type of conduct which it exhorts the community to maintain. Laws may do much to raise and sustain the tone of all the persons engaged in public affairs as officials or as legislators, not only by appealing to their conscience, but by giving them a quick and easy reply to those who seek improper favours from them. A statute may express the best conscience of the whole people and set the standard they approve, even where the practice of most individuals falls short of that standard. If the prosecuting authorities and the Courts do their duty unflinchingly, without regard to the social position of the offender, a statute may bring the practice of ordinary men up to the level of that collective conscience of the nation which it embodies.

In every walk of life a class of persons constantly

subject to a particular set of temptations is apt to form habits, due to the pressure of those temptations, which are below what the conscience of the better men in the community approves. The aim of legislation, as expressing that best conscience of the whole community, ought to be to correct or extirpate those habits and make each particular class understand that it is not to be excused because it has special temptations and thinks its own sins venial. Even the men who yield to the temptations peculiar to their own class are willing to join in condemning those who yield to some other kind of temptation. Thus the "better conscience" may succeed in screwing up one class after another to a higher level. But the enactment of a law is not enough. It must be strictly enforced. Procedure must be prompt. Juries must be firm. Technicalities must not be suffered to obstruct the march of justice. Sentences must be carried out, else the statute will become, as statutes often have become, a record of aspiration rather than of accomplishment.

To contrive plans by which the interest of the citizen in public affairs shall be aroused and sustained, is far easier than to induce the citizen to use and to go on using, year in and year out, the contrivances and opportunities provided for his benefit. Yet it is from the heart and will of the citizen that all real and lasting improvements must proceed. In the words of the Gospel, it is the inside of the cup and platter° that must be made clean. The central problem of civic duty is the ethical problem. Indifference, selfish interests, the excesses of party spirit, will all begin to disappear as civic life is lifted on to a higher plane, and as the number

of those who, standing on that higher plane, will apply a strict test to their own conduct and to that of their leaders, realizing and striving to discharge their responsibilities, goes on steadily increasing until they come to form the majority of the people. What we have called "the better conscience" must be grafted on to the "wild stock" of the natural Average Man.

How is this to be done? The difficulty is the same as that which meets the social reformer or the preacher of religion.

One must try to reach the Will through the Soul. The obvious way to begin is through the education of those who are to be citizens, moral education combined with and made the foundation for instruction in civic duty. This is a task which the Swiss alone among European nations seem to have seriously undertaken. Here in America it has become doubly important through the recent entrance into your community of a vast mass of immigrants, still more of them ignorant, not only of your institutions, but of the general principles and habits of free government. Most of them doubtless belong to races of high natural intelligence, and many of them have the simple virtues of the peasant. You are providing for all of them good schools, and their children will soon become Americans in speech and habits, quite patriotic enough so far as flag-waving goes. But they will not so soon or so completely acquire your intellectual and moral standard, or imbibe your historical and religious traditions. There is no fear but what they will quickly learn to vote. To some Europeans you seem to have been overconfident in entrusting them with a power which most of them cannot yet have learned to use wisely.

That however you have done, and as you hold that it cannot now be undone, your task must now be to teach them, if you can, to understand your institutions, to think about the vote they have to give, and to realize the responsibilities which the suffrage implies as these were realized by your New England forefathers when they planted free commonwealths in the wilderness nearly three centuries ago.

Valuable as instruction may be in fitting the citizen to comprehend and judge upon the issues which his vote determines, there must also be the will to apply his knowledge for the public good. What appeal shall be made to him?

We, — I say "we" because this is our task in Europe no less than it is yours here — we may appeal to his enlightened self-interest, making self-interest so enlightened that it loses its selfish quality. We can remind him of all the useful work which governments may accomplish when they are conducted by the right men in the right spirit. Take, for instance, the work to be performed in those cities wherein so large and increasing a part of the population now dwell. How much remains to be done to make cities healthier, to secure better dwellings for the poor, to root out nests of crime, to remove the temptations to intemperance and gambling, to bring within the reach of the poorest all possible facilities both for intellectual progress and for enjoying the pleasures of art and music. How much may we do so to adorn the city with parks and public buildings as to make its external aspect instil the sense of beauty into its inhabitants and give them a fine pride in it! These are some of the tasks which cannot safely be

entrusted to a municipality unless its government is above suspicion, unless men of probity and capacity are placed in power, unless the whole community extends its sympathy to the work and keeps a vigilant eye upon all the officials. Municipal governments cannot be encouraged to own public utilities so long as there is a risk that somebody may own municipal governments. Have we not here a strong motive for securing purity and efficiency in city administration? Is it not the personal interest of every one of us that the city we dwell in should be such as I have sought to describe? Nothing makes more for happiness than to see others around one happy. The rich residents need not grudge — nor indeed would your rich residents grudge, for there is less grumbling among the rich tax payers here than in Europe — taxation which they could see was being honestly spent for the benefit of the city. The interest each one of us has as a member of a city or a nation in seeing our fellow-citizens healthy, peaceful, and happy is a greater interest, if it be measured in terms of our own real enjoyment of life, than is that interest, of which we so constantly are reminded, which we have in making the State either wealthy by the development of trade, or formidable to foreign countries by its armaments.

We may also appeal to every citizen's sense of dignity and self-respect. We may bid him recollect that he is the heir of rights and privileges which your and our ancestors fought for, and which place him, whatever his birth or fortune, among the rulers of his country. He is unworthy of himself, unmindful of what he owes to the Constitution, that has given him these functions,

if he does not try to discharge them worthily. These considerations are no doubt familiar to us Englishmen and Americans, though we may not always feel their force as deeply as we ought. To the new immigrants of whom I have already spoken they are unfamiliar; yet to the best among these also they have sometimes powerfully appealed. You had, in the last generation, no more high-minded and patriotic citizen than the German exile of 1849, the late Mr. Carl Schurz.°

When every motive has been invoked, and every expedient applied that can stimulate the sense of civic duty, one never can feel sure that the desired result will follow. The moral reformer and the preacher of religion have the same experience. The ebbs and flows of ethical life are beyond the reach of scientific prediction. These are times of awakening, "times of refreshing from the presence of the Lord," as your Puritan ancestors said, but we do not know when they will come nor can we explain why they come just when they do. Every man can recall moments of his own life when the sky seemed to open above him, and when his vision was so quickened that all things stood transfigured in a purer and brighter radiance, when duty, and even toil done for the sake of duty, seemed beautiful and full of joy. You remember Wordsworth's° lines

> "Hence, in a season of fair weather,
> Though inland far we be,
> Our souls have sight of that celestial sea
> That brought us hither."

If we survey the wide field of European history, we shall find that something like this happens with nations

also. They, too, have moments of exaltation, moments of depression. Their ideals rise and fall. They are for a time filled with a spirit which seeks truth, which loves honour, which is ready for self-sacrifice; and after a time the light begins to fade from the hills and this spirit lingers only among the best souls.

Such a spirit is sometimes evoked by a great national crisis which thrills all hearts. This happened to England or at least to a large part of the people of England, in the seventeenth century.° It happened to Germany in the days of the War of Liberation,° and to Italy° when she was striving to expel the Austrians and the petty princes who ruled by Austria's help. You here felt it during the War of Secession. Sometimes, and usually at one of these crises, a great man stands out who helps to raise the feeling of his people and inspire in them his own lofty thoughts and aims. Such a man was Mazzini,° seventy years ago in Italy. Such were Washington and Lincoln, the former more by his example than by his words, the latter by both, yet most by the quiet patience, dignity, and hopefulness which he showed in the darkest hours. Nations respond to the appeal which such a man makes to their best instincts. He typifies for the moment whatever is highest in them.

Unhappily, with nations as with individuals, there is apt to be a relapse from these loftier moods into the old common ways when selfish interest and trivial pleasures resume their sway. There comes a sort of reaction from the stress of virtue and strenuous high-soaring effort. Everything looks gray and dull. The divine light has died out of the sky. This, too, is an oft-repeated lesson of European history. Yet the re-

action and decline are not inevitable. When an individual man has been raised above himself by some spiritual impulse, he is sometimes able to hold the ground he has won. His will may have been strengthened. He has learnt to control the meaner desires. The impulse that stirred him is not wholly spent, because the nobler thoughts and acts which it prompted have become a habit with him. So, too, with a nation. What habits are to the individual man, that, to a nation, are its Traditions. They are the memories of the Past turned into the standards of the Present. High traditions go to form a code of honour, which speaks with authority to the sense of honour. Whoever transgresses that code is felt to be unworthy of the nation, unfit to hold that place in its respect and confidence which the great ones of the days of old have held. Pride in the glorious fortune of the race and in its heroes sustains in the individual man who is called to public duty, the personal pride which makes him feel that all his affections and all his emotions stand rooted in the sense of honour, which is, for the man and for the nation, the foundation of all virtue.

We have seen in our own time, in the people of Japan,° a striking example of what the passionate attachment to a national ideal can do in war to intensify the sense of duty and self-sacrifice. A similar example is held up to us by those who have recorded the earlier annals of Rome. The deepest moral they teach is the splendid power which the love of Rome and the idea of what her children owed to her exercised over her great citizens, enabling them to set shining examples of devotion to the city which the world has admired ever since. Each

example evoked later examples in the later generations, till at last in a changed community, its upper class demoralized by wealth and power even more than it was torn by discord, its lower classes corrupted by the upper and looking on their suffrage as a means of gain, the ancient traditions died out. Whoever, studying the conditions of modern European democracies, sees the infinite facilities which popular government in large countries full of rich men and of opportunities for acquiring riches, offers for the perversion of government to private selfish ends, will often feel that those European states which have maintained the highest standard of civic purity have done it in respect of their Traditions. Were these to be weakened, the fabric might crumble into dust.

Every new generation as it comes up can make the traditions which it finds better or worse. If its imagination is touched and its emotions stirred by all that is finest in the history of its country, it learns to live up to the ideals set before it, and thus it strengthens the best standards of conduct it has inherited and prolongs the reverence felt for them.

The responsibility for forming ideals and fixing standards does not belong to statesmen alone. It belongs, and now perhaps more largely than ever before, to the intellectual leaders of the nation, and especially to those who address the people in the Universities and through the press. Teachers, writers, journalists, are forming the mind of modern nations to an extent previously unknown. Here they have opportunities such as have existed never before, nor in any other country, for trying to inspire the nation with a love of truth and

honour, with a sense of the high obligations of citizenship, and especially of those who hold public office.

Of the power which the daily press exerts upon the thought and the tastes of the people through the matter it scatters among them, and of the grave import of the choice it has always and everywhere to make between the serious treatment of public issues and that cheap cynicism which so many readers find amusing, there is no need to speak here. You know better than I do how far those who direct the press realize and try to discharge the responsibilities which attach to their power.

The observer who seeks to discern and estimate the forces working for good or evil that mark the spirit and tendencies of an age, finds it easiest to do this by noting the changes which have occurred within his own memory. To-day every one seems to dwell upon the growth not only of luxury, but of the passion for amusement, and most of those who can look back thirty or forty years find in this growth grounds for discouragement. I deny neither the fact nor the significance of the auguries that it suggests. But let us also note a hopeful sign manifest during the last twenty years both here and in England. It is the diffusion among the educated and richer classes of a warmer feeling of sympathy and a stronger feeling of responsibility for the less fortunate sections of the community. There is more of a sense of brotherhood, more of a desire to help, more of a discontent with those arrangements of society which press hardly on the common man than there was forty years ago. This altruistic spirit which is now everywhere visible in the field of private philanthropic work, seems likely to spread into the field of civic action also, and

may there become a new motive power. It has already become a more efficient force in legislation than it ever was before. We may well hope that it will draw more and more of those who love and seek to help their fellow-men into that legislative and administrative work whose opportunities for grappling with economic and social problems become every day greater.

Here in America I am told in nearly every city I visit that the young men are more and more caring for and bestirring themselves to discharge their civic duties. That is the best news one can hear. Surely no country makes so clear a call upon her citizens to work for her as yours does. Think of the wide-spreading results which good solid work produces on so vast a community, where everything achieved for good in one place is quickly known and may be quickly imitated in another. Think of the advantages for the development of the highest civilization which the boundless resources of your territory provide. Think of that principle of the Sovereignty of the People which you have carried further than it was ever carried before and which requires and inspires and, indeed, compels you to endeavor to make the whole people fit to bear a weight and discharge a task such as no other multitude of men ever yet undertook. Think of the sense of fraternity, also without precedent in any other great nation, which binds all Americans together and makes it easier here than elsewhere for each citizen to meet every other citizen as an equal upon a common ground. One who, coming from the Old World, remembers the greater difficulties the Old World has to face, rejoices to think how much, with all these advantages, the youth of America, such youth

as I see here to-night in this venerable University, may accomplish for the future of your country. Nature has done her best to provide a foundation whereon the fabric of an enlightened and steadily advancing civilization may be reared. It is for you to build upon that foundation. Free from many of the dangers that surround the states of Europe, you have unequalled opportunities for showing what a high spirit of citizenship — zealous, intelligent, disinterested, — may do for the happiness and dignity of a mighty nation, enabling it to become what its founders hoped it might be — a model for other peoples more lately emerged into the sunlight of freedom.

NOTES

THE NATIONAL GOVERNMENT

THE NATION AND THE STATES

(*The American Commonwealth*, Chapter II)

2:31. **Germanic Confederation.** In 1815 the Congress of Vienna, which met to reorganize Europe after the Napoleonic Wars, formed the thirty-nine states of Germany into a confederation, leaving to each complete independence except in a few matters of common concern. The war in 1866 between Austria and Prussia was followed by the dissolution of the Confederation. After the war with France in 1870–1871, the German states became more solidly united into the present German Empire.

2:32. **Hanseatic League.** A union established in the thirteenth century by some of the cities of Northern Germany for mutual safety and protection of trade.

3:1. **Swiss Confederation.** For several centuries the Swiss cantons were united into a mutual league. During the first half of the nineteenth century they discovered that the lack of a firm bond of union was not conducive to the best political development, and the Confederation became more closely knit together through constitutional changes.

4: 22. **plan.** I do not profess to indicate any one building which exactly corresponds to what I have attempted to describe, but there are (besides the Church of the Holy Sepulchre at Jerusalem) several both in Italy and Egypt that seem to justify the simile. *Bryce's note.*

THE ORIGIN OF THE CONSTITUTION

(*The American Commonwealth*, Chapter III)

7: 1. **George III** (1738–1820). King of Great Britain, 1760–1820. Although possessed of many traits desirable in a ruler, yet he had some others not so well suited to the king of such a country as England. Though he did not attempt to rule without Parliament, he nevertheless declined to drop into the background as the three previous English kings had done, and allow the ministers and Parliament to govern the country. On the contrary, he endeavored to select the ministers himself and to exercise personal influence over their policies. For the causes leading to the troubles between England and the American colonies, see some history of the United States.

7: 9. **from the Crown.** In Maryland, Pennsylvania, and Delaware, however, the governor was, during the larger part of the colonial period, appointed by the "Proprietor." *Bryce's note.*

7: 10. **English Privy Council.** Formerly, in England, this was the assembly appointed by the King to give advice in matters of state. It used to exercise considerable legislative, judicial, and executive functions. Politically the importance of the Privy Council has been superseded by a committee of ministers belonging to it, called the Cabinet.

7: 18. **English common law.** The law that receives its binding force from immemorial usage as ascertained

and expressed in the judgments of the courts. It is in contradistinction to statute law, the law as stated in statutes or enactments of legislative bodies.

8 : 5. resistance in common. There had been a congress of delegates from seven colonies at Albany in 1754 to deliberate on measures relative to the impending war with France, but this, of course, took place with the sanction of the mother country, and was a purely temporary measure. *Bryce's note.*

8 : 12. American. Till the middle of the last century the name " American " seems to have denoted the native Indians, as it does in Wesley's hymn, " The dark Americans covert." . . . The War of Independence gave the word its present meaning. *Bryce's note.*

9 : 15. Washington. George Washington (1732–1799) was during the Revolutionary War the commander-in-chief of the American army and the first President of the United States. After peace was made with England in 1783, Washington retired to his home at Mount Vernon, in Virginia. In 1787 he was chosen President of the convention which met at Philadelphia and framed the Constitution. In this important body his influence was considered second to none in framing the structure of the government of the United States. He was twice elected President without opposition, and refused a third term.

9 : 27. Outbreaks. Rhode Island was the most conspicuous offender. This singular little commonwealth, whose area is 1085 square miles (less than that of Ayrshire or Antrim), is, of all the American states, that which has furnished the most abundant analogies to the Greek republics of antiquity, and which best deserves to have its annals treated of by a philosophic historian. The example of her disorders did much to bring the other states to adopt that Federal Constitu-

tion which she was herself the last to accept. *Bryce's note.*

10: 31. **therein.** It was strongly urged when the draft Constitution came up for ratification in the State Conventions that the Philadelphia Convention had no power to do more than amend the Articles of Confederation. To these objections Mr. Wilson of Pennsylvania made answer as follows: "The business we are told which was intrusted to the late Convention was merely to amend the present Articles of Confederation. This observation has been frequently made, and has often brought to my mind a story that is related of Mr. Pope, who it is well known was not a little deformed. It was customary for him to use this phrase, 'God mend me,' when any little accident happened. One evening a link boy was lighting him along, and coming to a gutter the boy jumped nimbly over it. Mr. Pope called to him to turn, adding 'God mend me!' The arch rogue, turning to light him, looked at him and repeated, 'God mend you! He would sooner make half a dozen new ones.' This would apply to the present Confederation, for it would be easier to make another than to amend this." — Elliot's *Debates*, Pennsylvania Convention, vol. ii, p. 472. *Bryce's note.*

11: 18. **States.** Benjamin Franklin, who was one of the delegates from Pennsylvania, being then eighty-one years of age, was so much distressed at the difficulties which arose and the prospect of failure that he proposed that the Convention, as all human means of agreement seemed to be useless, should open its meeting with prayer. The suggestion, remarkable as coming from one so well known for his sceptical opinions, would have been adopted but for the fear that the outside public might thus learn how grave the position of affairs was. The original of Franklin's proposition, written in

his own still clear and firm hand, with his note stating that only three or four agreed with him, is preserved in the State Department at Washington, where may be also seen the draft of the Constitution with the signatures of the thirty-nine delegates. *Bryce's note.*

11: 21. **J. Q. Adams** (1767–1848) was, at the time of the publication of the minutes of the Constitutional Convention, Secretary of State under President Monroe. As the son of John Adams, who was active in the Constitutional Convention and afterwards President of the United States, J. Q. Adams had every advantage in the way of political training. During the earlier part of his career he had a most varied and remarkable experience in different diplomatic posts. In the latter part of his life he became the sixth President.

11: 23. **James Madison** (1751–1836). An eminent American statesman and the fourth President of the United States. He was a member of the Constitutional Convention and coöperated with Hamilton and Jay in the production of the *Federalist*. In the Virginia convention of 1788 he led the forces favoring the adoption of the Constitution, Patrick Henry being the leader of the faction opposing its adoption. The debate that ensued between Madison and Henry was a memorable one.

11: 25. **notes.** They are printed in the work called Elliot's *Debates*, which also contains the extremely interesting debates in some of the State Conventions which ratified the Constitution. The most complete account is now to be found in *Records of the Federal Convention of 1787*, published in 1911 by the Yale University Press. *Bryce's note.*

11: 29. **de novo.** Anew; from the beginning.

12: 5. **national unity.** The nearest parallels to such a Federal Union as that formed in 1789 were then to

be found in the Achæan and Lycian Leagues, which, however, were not mere leagues, but federated nations. Both are referred to be the authors of the *Federalist*, but their knowledge was evidently scanty. The acuteness of James Wilson had perceived that the two famous confederations of modern Europe did not supply a model for America. He observed in the Pennsylvania Convention of 1787: "The Swiss cantons are connected only by alliances. The United Netherlands are indeed an assembly of societies; but this assemblage constitutes no new one, and therefore it does not correspond with the full definition of a Confederate Republic." — Elliot's *Debates*, vol. ii, p. 422. The Swiss Confederation has now become a Republic at once Federal and national, resembling in most respects its American model. *Bryce's note.*

12: 5. **Hamilton.** Alexander Hamilton (1757–1804) takes a high rank among the fathers of the Constitution of the United States. From his college days until his death in the duel with Aaron Burr in 1804, he was a public man. During the Revolution he served as an officer, and for a considerable time was a member of Washington's staff with charge of the official correspondence. Later he was a member of Congress, member of the Constitutional Convention, and Secretary of the Treasury under Washington. His achievement in establishing the financial system of the country entitles him to great honor. Those who knew Hamilton assert that his greatest ambition was for military glory. As it is, his fame rests chiefly upon his record as a patriotic, disinterested, and constructive statesman. He originated the plan of the *Federalist*, which was probably the most powerful single influence in securing the adoption of the Federal Constitution. Of these papers, John Fiske says, "They are the most profound

and suggestive treatise on government that has ever been written."

12: 6. "**The establishment,**" etc. *Federalist*, No. lxxxv. *Bryce's note.*

12: 10. **David Hume** (1711–1776). A Scotch historian and philosopher.

12: 23. **might be formed.** Mr. Wilson said in the Pennsylvania Convention of 1787: "By adopting this Constitution we shall become a nation; we are not now one. We shall form a national character: we are now too dependent on others." He proceeds with a remarkable prediction of the influence which American freedom would exert upon the Old World. — Elliot's *Debates*, vol. ii, p. 526. *Bryce's note.*

12: 28. **Huguenots.** The Protestants of France in the sixteenth and seventeenth centuries. Because of persecution by the Catholic sovereigns of France, many of them in the latter seventeenth century fled to the American colonies.

12: 29. **same race.** The Irish, a noticeable element in North Carolina and parts of Pennsylvania, Virginia, and New Hampshire, were not Catholic Celts but Scotch-Irish Presbyterians from Ulster, who, animated by resentment at the wrongs and religious persecution they had suffered at home, had been among the foremost combatants in the Revolutionary War. *Bryce's note.*

14: 7. **may effect.** Hamilton observed of it in 1788: "The result of the deliberations of all collective bodies must necessarily be a compound as well of the errors and prejudices as of the good sense and wisdom of the individuals of whom they are composed. The compacts which are to embrace thirteen distinct States in a common bond of amity and union must necessarily be a compromise of as many dissimilar interests and inclinations.

How can perfection spring from such materials?" — *Federalist*, No. lxxxv. *Bryce's note.*

14 : 15. chosen by the people. The suffrage was then a limited one, based on property. *Bryce's note.*

14 : 23. Virginia and New York. Virginia was then much the largest state (population in 1790, 747,610). New York was reckoned among the smaller states (population 340,120) but her central geographical position made her adhesion extremely important. *Bryce's note.*

15 : 5. her own children. In the Massachusetts Convention of 1788, Mr. Nason delivered himself of the following pathetic appeal: "And here, sir, I beg the indulgence of this honorable body to permit me to make a short apostrophe to Liberty. O Liberty, thou greatest good! thou fairest property! with thee I wish to live — with thee I wish to die! Pardon me if I drop a tear on the peril to which she is exposed. I cannot, sir, see this highest of jewels tarnished — a jewel worth ten thousand worlds; and shall we part with it so soon? Oh no." — Elliot's *Debates*, vol. ii, p. 133. *Bryce's note.*

15 : 19. "plebiscital." Expressive directly of the will of the people. See note on **Referendum and Initiative, 94 : 8.**

15 : 29. foreign powers. Other chief causes were the financial straits of the Confederation and the economic distress and injury to trade consequent on the disorganized condition of several States. See the observations of Mr. Wilson in the Pennsylvania Convention (Elliot's *Debates*, ii, 254). He shows that the case was one of necessity, and winds up with the remark, "The argument of necessity is the patriot's defence as well as the tyrant's plea." *Bryce's note.*

16 : 1. Louisiana. The vast territory then called Louisiana was transferred by France to Spain in 1762,

but Spanish government was not established there until 1789. It was ceded by Spain to France in 1800, and purchased by the United States from Napoleon in 1803. Spain had originally had Florida, ceded it to Britain in 1763, received it back in 1783, and in 1819 sold it to the United States. *Bryce's note.*

16: 25. **amendments of 1791.** See the Constitution of the United States for these.

16: 28. **1789.** One may call the Constitution after either the year 1787, when it was drafted, or the year 1788, when it was accepted by the requisite number of States, or the year 1789, when it took full effect, the Congress of the Confederation having fixed the first Wednesday in March in that year as the day when it should come into force. The year 1789 has the advantage of being easily remembered, because it coincides with the beginning of the great revolutionary movements of modern Europe. The Confederation may be taken to have expired with the expiry of its Congress, and its Congress died for want of a quorum. *Bryce's note.*

17: 16. **details.** The literary Bostonians laid hold at once of its style as proper for admiration. Mr. Ames said in the Massachusetts Convention of 1788: "Considered merely as a literary performance, the Constitution is an honor to our country. Legislators have at length condescended to speak the language of philosophy." — Elliot's *Debates*, vol. ii, p. 55. *Bryce's note.*

17: 30. **Magna Charta.** The "Great Charter," — the important document signed and sealed by King John of England at Runnymede, June 15, 1215. It stated several of the cardinal principles of English liberty and so restricted the tyranny of the king as to allow new rights to develop.

17: 32. **English Constitution.** Unlike the Constitution of the United States, the English Constitution is

not a particular document but the principles of public policy which by virtue of the acquiescence of the nation through a long period of time have come to have the form of written law.

18: 6. **monarchical element.** There is a tendency in colonists to overestimate the importance of the Crown, whose conspicuous position as the authority common to the whole empire makes it an object of special interest and respect to persons living at a distance. It touches their imagination, whereas assemblies excite their criticism. *Bryce's note.*

18: 7. **Mr. Justice Blackstone** (1723–1780). A celebrated English jurist, author of the *Commentaries on the Laws of England* (1765–1769), which is perhaps the most influential treatise in English legal writings.

18: 19. **Montesquieu.** Charles de Secondat Montesquieu (1689–1755) was one of the most celebrated political writers of France. His great treatise, *The Spirit of Laws*, in which he attempted not only to discuss the nature and principles of laws in general, but also to show the difference between the laws of different countries and their local or social characteristics, was the book which, next to Locke's *Essay on Government*, was probably most influential upon the founders of the American government.

19: 5. **Rousseau.** Jean Jacques Rousseau (1712–1778) was one of the greatest French writers of the eighteenth century.

19: 5. **Burke.** Edmund Burke (1729–1797) was a distinguished English statesman and orator, who is recognized as one of the greatest political thinkers whom England has produced.

19: 7. **commentary.** The *Federalist*, a series of papers published in the New York newspapers in advocacy of the Federal Constitution when the question

of accepting it was coming before the New York State Convention. *Bryce's note.*

19: 10. **Jay.** John Jay (1745–1829) held many political offices both in the state of New York and under the Federal Government, the most distinguished being that of the first Chief Justice of the Supreme Court of the United States. But his fame will finally rest, perhaps, on the articles in explanation and defence of the Constitution which he contributed to the *Federalist.*

19: 19. **Jefferson.** Thomas Jefferson (1743–1826) was born in Albemarle County, Virginia. He was a delegate to the Continental Congress and drafted the Declaration of Independence. From 1785–1793 he was minister to France. On his return, he became successively Secretary of State in Washington's first cabinet, Vice-President under Adams, and President of the United States from 1801–1809.

20: 5. **Constitution of England.** See note **17**: 32.

20: 31. **functions of the judiciary.** For a discussion of this topic, consult Chapters XXIII and XXXIII of *The American Commonwealth.*

NATURE OF THE FEDERAL GOVERNMENT

(*The American Commonwealth*, Chapter IV)

22: 21. **national matters.** The full list will be found in the Constitution, Art. i, § 8. *Bryce's note.*

24: 3. **experience had tested.** J. R. Lowell has said with equal point and truth of the men of the Convention: "They had a profound disbelief in theory and knew better than to commit the folly of breaking with the past. They were not seduced by the French fallacy that a new system of Government could be ordered like a new suit of clothes. They would as soon

have thought of ordering a suit of flesh and skin. It is only on the roaring loom of time that the stuff is woven for such a vesture of their thought and experience as they were meditating." — Address on Democracy, delivered Oct. 6, 1884. *Bryce's note.*

24 : 26. **irremovable save by impeachment.** Minor differences between the English and American systems are that the American Federal judge is appointed by the President, "with the advice and consent of the Senate," an English judge by the Crown alone; an American judge is impeachable by the House of Representatives, and tried by the Senate, an English judge is removable by the Crown on an address by both Houses. *Bryce's note.*

25 : 27. **Folk Moot.** The Old English word, *moot*, means a meeting. The *folk moot* was in early Teutonic history a meeting of the whole tribe for the transaction of public business.

26 : 17. **national government.** It is often assumed by writers on constitutional subjects that a Federal Government presupposes a written or rigid constitution. This is not necessarily so. There have been federations with no fundamental rigid constitution. The Achæan League had apparently none. *Bryce's note.*

27 : 15. **English Commonwealth.** Strictly used, this phrase designates the government of England from the abolition of the monarchy in 1649 to the establishment of the Protectorate of Cromwell in 1653. It is, however, more commonly used to indicate the entire period from 1649 to the restoration of the Stuart line of kings in 1660.

27 : 19. **Instrument of Government of A.D. 1653.** The written constitution for England drawn up under Oliver Cromwell's sanction. It gave the principal power to a lord protector, who was of course to be Cromwell

himself. He was to be aided and at the same time restrained by a council, and a parliament was to meet once in every three years.

27 : 21. James Harrington (1611–1677). An English political philosopher of the seventeenth century whose theories regarding government are embodied in his political romance, *The Commonwealth of Oceana* (1656). He further endeavored to propagate his views by establishing a debating society called the Rota.

GENERAL OBSERVATIONS ON THE FRAME OF THE NATIONAL GOVERNMENT

(*The American Commonwealth*, Chapter XXVI)

29 : 22. election of 1876. In the presidential election in the autumn of 1876, the Republican candidate, Hayes, received 164 undisputed electoral votes, and the Democratic candidate, Tilden, 184 electoral votes. The votes of South Carolina, Louisiana, and Florida, together with one of the votes of Oregon, were in dispute. As 185 votes were necessary to elect, if Tilden were to obtain one of the disputed votes, he would be elected, while if Hayes got all of the twenty disputed votes he would be elected. Congress placed the settlement of the matter in the hands of an Electoral Commission of fifteen — five from the Senate, five from the House, and five from the Supreme Court. According to political affiliations the Commission was composed of eight Republicans and seven Democrats. In every one of the disputed cases, the Commission decided for the Hayes electors and he was thereupon declared elected to the Presidency. Excitement over the matter was intense for months and even at times seriously threatened the peace of the country. This is the only instance of a

disputed Presidential election in the history of the United States, though twice before, in 1800 and in 1824, the electoral college has failed to choose a President and the election has been thrown into the House. But in neither case was there any dispute as to the number of votes cast for each candidate as in the Hayes-Tilden election.

29: 26. **Romano-Germanic Empire.** The empire erected in the ninth century by Charlemagne embracing a wide extent of Western Europe, more usually called the Holy Roman Empire. It became disrupted after the peace of Westphalia in 1648. The emperor was selected by representatives of the component states of the empire, the elections being held at Frankfort-on-the-Main and the coronations at Aix-la-Chapelle.

29: 26. **Papacy.** The pope, or head of the Roman Catholic Church, is elected by vote of an assembly of the cardinals of the Church.

29: 29. **Chambers.** In Switzerland the Federal Council of seven are elected by the two Chambers, and then elect one of their own number to be their President, and therewith also President of the Confederation (Constit. of 1874, art. 98). In some British colonies it has been provided that, in case of the absence or death or incapacity of the Governor, the Chief Justice shall act as Governor. In India the senior member of Council acts in similar cases for the Viceroy. *Bryce's note.*

30: 10. **weak President.** A British House of Commons in the last few months before its impending dissolution usually presents the same alternations of reckless electioneering and feebleness which recoils any momentous decision. *Bryce's note.*

30: 27. **choose a new one.** The question of replacing the President by a ministerial council is very rarely

discussed in America. It has been mooted in France. *Bryce's note.*

31: 12. **five out of the twenty Presidents.** The Presidents who have died in office are W. H. Harrison, Taylor, Lincoln, Garfield, and McKinley. The first two died of natural causes, the others were shot by crazed fanatics.

31: 14. **Mr. Arthur.** On the death of Garfield in the autumn of 1881, about six months after his inauguration, Chester A. Arthur, the Vice-President, became President. Previously he had been an obscure politician in New York, and was known as a leader in polite social circles rather than as a statesman. On this account many viewed with concern his elevation to the Presidency. Under his new responsibilities, however, he revealed great dignity and ability.

31: 16. **Andrew Johnson.** Johnson, who became President upon the assassination of Lincoln, was ill-fitted to take up the tasks Lincoln had left unfinished. He was lacking in both judgment and self-control.

31: 17. **aut nullus aut Cæsar.** Either nobody or Cæsar.

34: 17. **Since 1832.** The Reform Bill of this year extending the suffrage to the middle classes was a notable step in the democratizing of England.

35: 24. **caucus.** An American political term of uncertain origin, meaning a gathering of the members of a political party for a conference as to party measures and policy.

37: 4. **dramatize principles.** As an illustration of the want of the dramatic element in Congress, I saw that some of the parliamentary debating societies in the American colleges (colleges for women included) were recently taking for their model not either House of Congress but the British House of Commons; the

students conducting their debates under the names of the prominent members of that assembly. They said they did this because Congress has no Ministry and no leaders of the Opposition. *Bryce's note.*

37: 11. **John Adams** (1735–1826). The second President of the United States, 1797–1801. Before becoming President, he had been active in a great many ways during the years of the Revolution and the formation of the American government, but had never had a seat in Congress.

37: 12. **Stanton.** Edward M. Stanton (1814–1869) who served as Secretary of War during the Civil War with great fidelity and devotion to public service.

37: 12. **Grant.** Ulysses S. Grant (1822–1885) was the eighteenth President of the United States. His election in 1868 was chiefly due to the popularity he had won because of his military record as commander of the Federal Army in the Civil War. Previous to the election he had taken no part in politics.

37: 12. **Tilden.** Samuel J. Tilden (1814–1886), a noted American lawyer and statesman, was the defeated candidate in the contested Presidential election of 1876 (see note on **29**: 22). He had previously been active in politics in New York, and had been governor of the state from 1875–1876.

37: 13. **Cleveland.** Grover Cleveland (1837–1908), the twenty-second President of the United States. After his entrance into politics, the rapidity of his rise was remarkable. From the mayor's chair in Buffalo, he went directly to Albany as governor of New York, and during his term as governor was elected President in 1884.

37: 13. **Roosevelt.** Theodore Roosevelt (1858–——), the twenty-fifth President of the United States. His public career before his becoming President em-

braced service as a member of the New York legislature, United States Civil Service Commissioner, Assistant Secretary of the Navy, governor of New York, and Vice-President of the United States.

37: 14. **Lincoln.** Abraham Lincoln (1809–1865) had by middle life achieved a fair degree of what the world usually calls success. Stimulated and educated by necessity, he had risen from very humble circumstances to positions of public trust and usefulness. But he had begun to tire of politics and was expected to devote himself thenceforward to the practice of his profession, law. The slavery question, however, was brought acutely to the front and Lincoln threw himself wholeheartedly into the contest. It was in the great debates with Stephen A. Douglas on this question in 1858 that Lincoln became the leader of the Republican party. These and other speeches of his so added to his reputation that he was in 1860 nominated and elected to the Presidency. He was reëlected in 1864. His career as President was tragically ended by his assassination on April 14, 1865.

38: 4. **natural outgrowth.** This may seem to be another way of saying that nature, *i.e.* historical development, is wiser than the wisest men. Yet it must be remembered that what we call historical development is really the result of a great many small expedients invented by men during many generations for curing the particular evils in their government which from time to time had to be cured. The moral therefore is that a succession of small improvements, each made conformably to existing conditions and habits, is more likely to succeed than a large scheme, made all at once in what may be called the spirit of conscious experiment. The Federal Constitution has been generally supposed in Europe to have been such a scheme, and its success

has encouraged other countries to attempt similar bold and large experiments. This is an error. The Constitution of the United States is almost as truly the matured result of long and gradual historical development as the English Constitution itself. *Bryce's note.*

38: 6. **devices consciously introduced.** See the chapter entitled "Nature of the Federal Government," page 22.

38: 8. **ad hoc.** For this particular matter.

39: 10. **Calvin.** John Calvin (1509–1564), the great French Protestant reformer and theologian. His book, *Institutes of the Christian Religion* (1536), is a memorable treatise in connection with the Protestant position in the Reformation.

39: 11. **Hobbes.** Thomas Hobbes (1588–1679), an English philosopher, author of several political treatises, especially *Leviathan, or the Matter, Form, and Power of a Commonwealth, Ecclesiastical and Civil* (1651). He views man as a selfish being who must be held in restraint by the strong hand of authority.

39: 12. **Puritanism.** The Puritans of seventeenth-century England have been well described as rebels against the tyranny of kings and the vices of men. In the religious agitations of that time, they sought to modify the doctrine and worship of the Church of England in the direction of Calvinism. The Calvinistic view of human nature is that because of the fall man is inherently depraved and wicked and deserving of eternal punishment. Macaulay explains the democratic leanings of the Puritans as follows: "The difference between the greatest and the meanest of mankind seemed to vanish when compared with the boundless distance which separated the whole race from Him on whom their eyes were forever fixed."

39: 15. **no door.** "That power might be abused," says Marshall in his *Life of Washington*, "was deemed

a conclusive reason why it should not be conferred." *Bryce's note.*

39 : 17. Frenchmen of 1789. The French Revolution began in 1789 under circumstances which led many to hope that its objects would be quickly obtained through the forces of law and order without having resort to bloodshed and excess, as did become the case.

40 : 1. Patrick Henry (1736–1799). The stirring orator of the Revolution whose impassioned cry, "Give me liberty or give me death," rang through the colonies from end to end. He took the leadership in the Virginia legislature in the political agitation leading up to the Revolution and later served two terms as governor of Virginia.

41 : 32. Public opinion. The nature of public opinion and the way it governs is discussed in Part IV of *The American Commonwealth.* Four of the most significant chapters are included among those in this book.

42 : 13. War of Secession. The Civil War, 1861–1865.

42 : 29. Judge Cooley. Thomas M. Cooley (1824–1898) was a noted American jurist and authority on constitutional law. He was for a time Chief Justice of the Supreme Court of Michigan. The quotation is from an address to the South Carolina Bar Association, December, 1886.

44 : 15. ipsa . . . nostri. Powerful in her own wealth, wanting nothing of ours. **Lucretius** 1 : 61.

44 : 18. Epicurus (342–270 B.C.). The Greek philosopher who taught that pleasure was the highest good. His theory of the gods was that they existed but that they enjoyed absolute repose in their far-away home and were uninfluenced by human misery.

44 : 20. "Sejuncta . . . longe." Dissociated from our affairs and far removed. **Lucretius** 2 : 648.

45: 12. **Sieyès.** Count Emmanuel Joseph Sieyès (1748–1836), a noted French revolutionary leader.

45: 13. **Reign of Terror.** That period of the French Revolution from June, 1753, to July, 1754, marked by excessive riot and bloodshed.

THE FEDERAL SYSTEM

(*The American Commonwealth*, Chapter XXVII)

48: 15. **needs no fundamental alteration.** The view that the power of Congress to legislate might properly be extended, by a constitutional amendment, to such a subject as marriage and divorce, is of course compatible with an acquiescence in the general scheme of delimitation of powers. *Bryce's note.*

48: 29. **ex hypothesi.** Theoretically.

49: 2. **interdicting the National government.** Judge Cooley observes to me: "The prohibitions imposed by the Federal Constitution on the exercise of power by the general government were not, for the most part, to prevent its encroaching on the powers left with the States, but to preclude tyrannical exercise of powers which were unquestionably given to the Federal government. Thus Congress was forbidden to pass any bill of attainder; this was to prevent its dealing with Federal offences by legislative conviction and sentence. It was forbidden to pass *ex post facto* laws, and this undoubtedly is a limitation upon power granted; for with the same complete power in respect to offences against the general government which a sovereignty possesses, it might have passed such laws if not prohibited." *Bryce's note.*

49: 13. **by the States.** Cooley, *Principles*, p. 35. *Bryce's note.*

50: 7. **could not pass.** Of course Congress can legis-

late regarding some contracts and can impair their obligation. It has power to regulate commerce, it can pass bankrupt laws, it can make paper money legal tender. *Bryce's note.*

50: 7. **ex post facto.** After the deed is done; retroactive.

50: 25. **Irish Land Act.** Much of the poverty and suffering in Ireland has been due not to the shiftlessness of the Irish peasants but to the relations existing between landlord and tenant. During the nineteenth century the English Parliament frequently passed measures intended to insure to the peasants protection of their interests, that of 1881 being one of these.

51: 3. **the right of legislating.** It may of course be suggested that in case of urgent public necessity, such as the existence of war or insurrection, Congress might extinguish debts either generally or in a particular district. No such legislative power seems, however, to have been exerted or declared by the courts to exist, unless the principles of the last Legal Tender decision can be thought to reach so far. *Bryce's note.*

51: 20. **charged with these purposes.** See Art. i, § 8, Art. ii, § 2, Art. iii, § 2, Art. iv, §§ 3 and 4; Amendments xiii, xiv, xv, of the Constitution. *Bryce's note.*

52: 9. **tax any State.** Federal direct taxes must be imposed according to the population of the States, and indirect taxes must be uniform throughout the United States. But see now Amendment xvi to the Constitution. *Bryce's note.*

52: 21. **ex post facto law passed.** Similar limitations occur in some recent European Constitutions. The term *ex post facto* is deemed to refer to criminal laws only. *Bryce's note.*

53: 7. **by the rules of common law.** Chiefly intended to prevent the methods of courts of equity from

being applied to the Federal courts as against the findings of a jury. *Bryce's note.*

54: 21. **protect the citizens.** The fourteenth and fifteenth amendments are in this respect a novelty. The only restrictions of this kind to be found in the instrument of 1789 are those relating to contracts and *ex post facto* laws. *Bryce's note.*

55: 4. **prima facie.** At first view.

55: 21. **in a like case.** Congress must not attempt to interfere with the so-called "police power" of the States within their own limits. So when a statute of Congress had made it punishable to sell certain illuminating fluids inflammable at less than a certain specified temperature, it was held that this statute could not operate within a State, but only in the District of Columbia and the Territories, and a person convicted under it in Detroit was discharged (*United States* v. *De Witt*, 9 Wall. 41). *Bryce's note.*

57: 20. **ipso jure.** By the law itself.

57: 31. **de facto.** As a matter of fact, but not of law, actual but not legal, as opposed to *de jure.*

58: 29. **little or no unfairness.** "Whatever fluctuations may be seen in the history of public opinion during the period of our national existence, we think it will be found that the Supreme court, so far as its functions required, has always held with a steady and even hand the balance between State and Federal power, and we trust that such may continue to be the history of its relation to that subject so long as it shall have duties to perform which demand of it a construction of the Constitution." — Judgment of the Supreme Court in *The Slaughter House Cases*, 16 Wall. 82. *Bryce's note.*

59: 20. **given no opening.** The Declaration of Independence had already given them plenty of abstract propositions about human rights and human govern-

ments, so there was less temptation to wander from the path of definite practical provisions. *Bryce's note.*

60: 4. **perpetual efficacy.** This view received judicial sanction in the famous case of *Texas* v. *White* (7 Wall. 700), decided by the Supreme Court after the war. It is there said by Chief-Justice Chase, "The Union of the States never was a purely artificial and arbitrary relation. . . . It received definite form and character and sanction by the Articles of Confederation. By these the Union was solemnly declared to be 'perpetual.' And where these articles were found to be inadequate to the exigencies of the country, the Constitution was ordained 'to form a more perfect Union.' It is difficult to convey the idea of indissoluble unity more clearly than by these words. What can be indissoluble if a perpetual union, made more perfect, is not? But the perpetuity and indissolubility of the Union by no means implies the loss of distinct and individual existence, or of the right of self-government by the States. . . . It may be not unreasonably said that the preservation of the States and the maintenance of their governments are as much within the design and care of the Constitution as the preservation of the Union and the maintenance of the national government. The Constitution, in all its provisions, looks to an indestructible Union composed of indestructible States. When, therefore, Texas became one of the United States she entered into an indissoluble relation. . . . There was no place for reconsideration or revocation except through revolution or through consent of the States. Considered therefore as transactions under the Constitution, the ordinance of secession adopted by the Convention, and ratified by a majority of the citizens of Texas, was absolutely null and utterly without operation in law. The obligations of the State as a member

of the Union, and of every citizen of the State as a citizen of the United States, remained perfect and unimpaired." The State did not cease to be a State, nor her citizens to be citizens of the Union. See also the cases of *White* v. *Hart* (13 Wall. 646) and *Keith* v. *Clark* (97 U. S. 451).

As respects the argument that the Union established by the Constitution of 1789 must be perpetual, because it is declared to have been designed to make a previous perpetual Union more perfect, it may be remarked, as matter of history, that this previous Union (that resting on the Articles of Confederation) had not proved perpetual, but was in fact put an end to by the acceptance in 1788 of the new Constitution by the nine States who first ratified that instrument. After that ratification the Confederation was dead, and the States of North Carolina and Rhode Island, which for some months refused to come into the new Union, were clearly out of the old one, and stood alone in the world. May it not then be said that those who destroyed a Union purporting to be perpetual were thereafter estopped from holding it to have been perpetual, and from founding on the word "perpetual" an argument against those who tried to upset the new Union in 1861, as the old one had been upset in 1788. The answer to this way of putting the point seems to be to admit that the proceedings of 1788 were in fact revolutionary. In ratifying the new Constitution in that year, the nine States broke through and flung away their previous compact which purported to have been made forever. But they did so for the sake of forming a better and more enduring compact, and their extra-legal action was amply justified by the necessities of the case. *Bryce's note.*

MERITS OF THE FEDERAL SYSTEM

(*The American Commonwealth*, Chapter XXX)

62: 4. **Achæa.** The Achæan League, a confederacy of some ten Greek cities which reached its most flourishing period in the latter part of the second century B.C., was perhaps the best example in antiquity of the federal system. In foreign affairs the union acted as a unit, but in internal affairs each city preserved its entire independence. There was a public council which met regularly twice every year and was attended in person by all male citizens over thirty years. The League was finally overcome by Roman power.

63: 19. **preëxisting bond.** I have treated of this subject in an essay on the centripetal and centrifugal forces in Constitutional Law in a book entitled *Studies in History and Jurisprudence. Bryce's note.*

67: 15. **unsettled territories.** In 1787, however, the great Ordinance regulating the Northwest Territory was enacted by the Congress of the Confederation. *Bryce's note.*

67: 24. **wasteful disposal.** The United States is proprietor of the public domain in the Territories, and when a new State is organized the ownership is not changed. The United States, however, makes grants of wild lands to the new State as follows: (1) Of every section numbered 16 (being one thirty-sixth of all) for the support of common schools. (2) Of lands to endow a university. (3) Of the lands noted in the surveys as swamp lands, and which often are valuable. (4) It has usually made further grants to aid in the construction of railroads, and for an agricultural college. The grants commonly leave the United States a much larger landowner within the State than is the State itself, and

when all the dealings of the National government with its lands are considered, it is more justly chargeable with squandering the public domain than the States are. *Bryce's note.*

68: 15. **Massachusetts.** I give the round numbers, reducing them a little from the numbers which appear in the census of 1790. *Bryce's note.*

68: 27. **the newer States.** To have secured the real benefits of local self-government the States ought to have been kept at a figure not much above that of their original population, their territory being cut up into new States as the population increased. Had this been done — no doubt at the cost of some obvious disadvantages, such as the diminution of State historical feeling, the undue enlargement of the Senate, and the predominance of a single large city in a State, — there would now be more than two hundred States. Of course in one sense the States are no larger than they were in the early days because communication from one part to another is in all of them far easier, quicker, and cheaper than it then was. *Bryce's note.*

69: 7. **Central government.** It must, of course, be remembered that in most parts of the Union the local self-government of cities, counties, townships, and school districts exists in a more complete form than in any of the great countries of Europe. *Bryce's note.*

71: 11. **any previous federation.** The central government in the Achæan League had apparently a direct authority over the citizens of the several cities, but it was so ill defined and so little employed that we can hardly cite that instance as a precedent. *Bryce's note.*

71: 24. **Quid leges sine moribus?** What are laws without customs?

75: 22. **transmarine possessions.** These now include: the Philippine Islands, the island of Guam, the

island of Puerto Rico, the Hawaiian Islands, the island of Tutuila in the Samoan group, and the Panama Canal zone.

75: 23. **Philippine Islands.** In the peace negotiations closing the Spanish-American War, these islands were ceded to the United States for the sum of $20,000,000.

76: 6. **war with Spain.** Not many years before 1898 the disturbed conditions in Cuba due to the attempts of the Cuban people to secure their independence from Spain had led to suggestions that the United States should, as the nearest neighbor, interfere and set things right. These suggestions had always been rejected until at last the Spanish troops apparently being unable to stamp out the insurrections, public sentiment became aroused and led the United States into a correspondence with Spain. While this was in progress the battleship, *Maine*, which had been sent to Havana to protect American interests, was blown up at her anchorage, and public sentiment in the United States called for war. Hostilities began on April 21, 1898, and were virtually over in the July following.

THE RULE OF PUBLIC OPINION

THE NATURE OF PUBLIC OPINION

(*The American Commonwealth*, Chapter LXXVI)

77: 20. **Homer.** The epic poet of Greece, author of the *Iliad* and the *Odyssey*. He is supposed to have lived about 1000 B.C.

78: 14. **Bismarck.** Otto von Bismarck (1845–1898) was the noted Prussian statesman to whom more than to any other one man the present German Empire owes

its unity. In 1871 he became the first chancellor of the German Empire and was made a prince. His administration was marked by many economic reforms. Owing to his having incurred the displeasure of the Emperor, William II, Bismarck resigned the chancellorship in 1890 and lived in retirement until his death in 1898.

78: 15. **Henry George** (1839–1897). An American writer on political and social subjects. In 1886 he was an unsuccessful candidate for the mayoralty of New York, the United Labor party supporting his nomination.

83: 19. **many European countries.** It may be said that this has been so because the movements of the last century have been mostly movements in a democratic direction, which obtained the sympathy of the humbler classes because tending to break down the power and privilege which the upper classes previously enjoyed. This observation, however, does not meet all the cases, among which may be mentioned the attitude of the English working classes towards Italy from 1848 onwards, as well as their attitude in the American Civil War from 1861 to 1865, and in the Eastern Question from 1876 onwards, for in none of these instances had they any personal interest. I purposely take cases far back in the past. *Bryce's note.*

86: 22. **clientèle.** patrons; supporters.

GOVERNMENT BY PUBLIC OPINION

(*The American Commonwealth*, Chapter LXXVII)

88: 4. **Sir Robert Peel** (1788–1850). An eminent English statesman, member of Parliament and Prime Minister.

88: 12. **Venice.** In the twelfth century this Italian

city made constitutional changes which were intended to restrict the power both of the head of the government, the Doge, and the people in the interest of the wealthy citizens. In the next century the oligarchy of nobles secured supreme power.

88: 14. **Czar.** The title of the sovereign of Russia.

89: 2. **Sultan.** The title of the sovereign in Mohammedan countries, such as Turkey, Morocco, etc.

89: 3. **Mussulman.** A follower of Mohammed.

89: 3. **Shah.** The title of the king of Persia.

89: 7. **Renaissance.** The period of transition in Europe from the Middle Ages to the modern period, and the consequent intellectual awakening. It embraced, generally speaking, the fourteenth and fifteenth centuries.

89: 18. **de jure.** In accordance with law; by right.

89: 19. **de facto.** In fact but not in law.

89: 23. **Louis XV** (1710–1774). King of France, 1715–1774. His reign was marked by great profligacy and arbitrariness. It is said that when told of the ruin of the country and the misery and discontent of the people, the king only remarked, "Après moi le deluge," implying that the monarchy would last as long as his life, and continued his career of pleasure and dissipation.

89: 24. **Robin Hood.** The legendary outlaw who was the ideal hero of the common people of England in the fourteenth, fifteenth, and sixteenth centuries.

89: 25. **Constantinople.** From 395 until its capture in 1453 by the Turks, Constantinople was the capital of the Eastern Roman or Byzantine Empire. During this period dynasties changed frequently, wars and revolutions took place.

90: 13. **Darius** (558–584 B.C.). King of Persia and one of the world-conquerors of ancient times.

90: 14. **Theebaw.** The last sovereign of Burma, deposed by the English in 1885.

90: 22. **Pindar** (522–448 B.C.). A Greek lyric poet.

91: 16. **whilom.** Formerly.

94: 8. **Referendum and Initiative.** The *referendum* is the practice of submitting laws directly to the people for approval or rejection after they have been first formulated by the legislative body. The *initiative* is the complement of the referendum and is the means by which the people may draw up their own measures and have them voted on without the intermediation of the legislative body. Since 1874 the referendum has been a feature of the government of the Swiss Confederation. The initiative was adopted in 1891.

95: 9. **Sir William Temple** (1628–1699). An English statesman, author of *Essay on the Origin and Nature of Government.*

HOW PUBLIC OPINION RULES IN AMERICA

(*The American Commonwealth*, Chapter LXXVIII)

102: 6. **the Assembly.** Rome is a somewhat peculiar case, because she left far more power to her non-representative Senate and to her magistrates than the Greek democracies did to their Senate or officials. See Chapter XXV in Vol. I. *Bryce's note.*

102: 6. **Athens.** The largest city of ancient Greece. In its days of greatest influence, its government was a pure democracy, the laws being made by popular assemblies of the people.

102: 6. **Syracuse.** In ancient times the most famous and powerful city of Sicily. During the period of sixty years beginning with 465 B.C., it had a free and popular government.

105: 2. **Bill of Rights.** The Bill of Rights of 1689 is one of the fundamental documents which define the English constitution. When in 1688 William and Mary were elevated to the English throne in the place of James II who had been expelled, they did so on certain conditions which clearly showed that they were on the throne because Parliament had placed them there and not by " divine right," and that they could not therefore act independently of Parliament. The Bill of Rights was the enactment into the form of statute law of these conditions.

107: 16. **his workmen think.** Of course I do not include questions specially relating to labor, in which there may be a direct conflict of interests. Nor is it to be denied that the wealthiest men, especially financiers, have become more of a class, holding views of their own on questions affecting capital, than they were some decades ago. *Bryce's note.*

108: 16. **Reform Act.** This bill passed by Parliament in 1832 is one of the landmarks in the democratization of the English government. The Reform Act took the control of Parliament out of the hands of the narrow aristocracy which had long dominated it, and put it into the hands of the middle classes of England.

ORGANS OF PUBLIC OPINION

(*The American Commonwealth*, Chapter LXXIX)

111: 2. **pariter facta . . . canebat.** It tells equally of things that have been accomplished and that have not been accomplished.

114: 3. **Mr. Horace Greeley** (1811–1872). A noted American journalist. Under his editorship, the *New*

York Tribune came to wield an influence unprecedented in the history of American newspapers.

114: 10. **Whig.** In the history of American politics this term has been applied to parties variously. In the Revolutionary times it designated those who opposed British government in distinction to the Tories who were loyal to England. After the Revolution the term disappeared as a party term until about 1834, when it became applied to a new party opposed to the Democratic party. In 1854 the Whig party became disrupted, most of the Whigs in the North joining the new Republican party.

114: 10. **Republican.** Several political organizations have been designated by this term in the United States. It is usually, however, applied to the powerful party organized in 1854–1856 which elected Lincoln President in 1860. It originated by the fusion of various elements in the old parties opposed to the extension of slavery. In the industrial agitations since the Civil War, it has stood as the party of conservatism.

114: 11. **Katkoff.** Mikhail Nikiforovitch Katkoff (1820–1887) was a noted Russian journalist, editor of the Moscow *Gazette* for a long period.

115: 10. **Free Soil party.** A political party formed in 1848 and merged with the Republican party in 1856. At the first convention in Buffalo, resolutions were adopted which concluded, "That we inscribe on our banner Free Soil, Free Speech, Free Labor, and Free Men."

115: 15. "**thirled.**" Attached. Originally it was a Scotch law term denoting a kind of servitude by which the owners of certain lands were bound to carry their grain to a particular mill to be ground.

117: 24. **Machine politicians.** In Chapter LXIII of *The American Commonwealth*, Bryce thus describes the

Machine politicians: "Those who in great cities form the committees and work the machine are persons whose chief aim in life is to make their living by office. Such a man generally begins by acquiring influence among a knot of voters who live in his neighborhood, or work under the same employer, or frequent the same grog-shop or beer saloon, which perhaps he keeps himself. He becomes a member of his primary, attends regularly, attaches himself to some leader in that body, and is forward to render service by voting as his leader wishes, and by doing duty at elections. He has entered the large and active class called, technically, 'workers,' or more affectionately, 'the Boys.' Soon he becomes conspicuous in the primary, being recognized as controlling the votes of others — 'owning them' is the technical term — and is chosen delegate to a convention. Loyalty to the party there and continued service at elections mark him out for further promotion. He is appointed to some petty office in one of the city departments, and presently is himself nominated for an elective office. By this time he has also found his way on to the ward committee, whence by degrees he rises to sit on the central committee, having carefully nursed his local connection and surrounded himself with a band of adherents, who are called his 'heelers,' and whose loyalty to him in the primary, secured by the hope of 'something good,' gives weight to his words. Once a member of the central committee he discovers what everybody who gets on in the world discovers sooner or later, by how few persons the world is governed. He is one of a small knot of persons who pull the wires for the whole city, controlling the primaries, selecting candidates, 'running' conventions, organizing elections, treating on behalf of the party in the city with the leaders of the party in the State. Each of this knot,

which is probably smaller than the committee, because every committee includes some ciphers put on to support a leader, and which may include one or two strong men not on the committee, has acquired in his upward course a knowledge of men and their weaknesses, a familiarity with the wheels, shafts, and bands of the party machine, together with a skill in working it. Each can command some primaries, each has attached to himself a group of dependants who owe some place to him, or hope for some place from him. The aim of the knot is not only to get good posts for themselves, but to rivet their yoke upon the city by garrisoning the departments with their own creatures, and so controlling elections to the State legislature that they can procure such statutes as they desire, and prevent the passing of statutes likely to expose or injure them. They cement their dominion by combination, each placing his influence at the disposal of the others, and settle all important measures in secret conclave." For a full discussion of the Machine and its accompanying features of Rings and Bosses, see Chapters LX to LXIV of *The American Commonwealth*.

119: 14. **protective tariff.** The earliest tariff in the history of the United States was that adopted in 1789. One of its objects was stated as being "the encouragement and protection of manufactures," thus at this early period laying down a principle which was afterwards adopted. The cost of the War of 1812 increased the tariff rates considerably with the expectation that they would be considerably reduced after the return of peace. When the war was over, American manufacturers became alarmed lest the reduction of duties should bring them into dangerous competition with foreign manufacturers, and called on Congress for protection. This Congress gave by passing the tariff measure of 1816 which continued the war tariff. It was intended

as a temporary measure, but when the manufacturers once had a taste of protection they continually asked for more and more of it. In this way a protective tariff became an established principle. Agitations for its reduction or increase have been recurrent ever since in American politics.

119: 15. **the currency.** Since the administration of President Hayes (1877–1881), the United States has experienced several waves of agitation for currency reforms, especially for the free coinage of silver. The first of these developed the Bland-Allison bill of 1878, the second, the Sherman silver law of 1890, and the third was prominent in the Bryan campaign of 1896. A simple and clear account of the recent monetary history of the United States may be found in Ely and Wicker's *Elementary Principles of Economics*, pp. 211–215; a fuller account with bibliography may be found in Bullock's *Introduction to Economics*, pp. 288–308.

120: 2. **Peru.** The history of this South American country has been largely a series of petty quarrels resulting in the frequent substitution of one ruler for another.

120: 13. **by-elections.** Elections to fill a vacancy in the English Parliament.

121: 25. **Possunt . . . videntur.** They can because they think they can.

123: 8. **gêne.** Constraint.

NATIONAL CHARACTERISTICS AS MOULDING PUBLIC OPINION

(*The American Commonwealth*, Chapter LXXX)

126: 31. **Bull Run.** In this, the opening battle of the Civil War, the people of the North were overconfident of success. At Manassas Junction, some

thirty miles south of Washington, on the field of "Bull Run," on July 21, 1861, was fought the famous battle which ended in the defeat of the Union Army and its flight back to Washington.

126: 31. **William M. Tweed** (1823–1878). A notorious politician, leader of the so-called "Tweed Ring" in New York City. For an account of its methods, see *The American Commonwealth*, Chapter LXXXVIII.

128: 14. **ancient Constitution.** See note on **17**: 32.

129: 28. **Town Meeting.** The early settlements in New England were in small groups which came to be known as townships, and these became the basic units of government. Once a year, a "town-meeting" is held, at which all the grown men of the township have the right to introduce motions, take part in the discussion, and cast a vote on all matters.

131: 23. **colluvies gentium**: riffraff of the races.

134: 1. **shepherd in Virgil**: Tityrus in the first *Eclogue* of Virgil: "That city which they call Rome I thought, Meliboeus, was like this of ours."

135: 1. **to fall into the background.** The increased space given to athletics and games of all sorts in the newspapers marks a change in public taste no less striking here than it is in Britain. As it is equally striking in the British colonies, one may take it as a feature common to the modern English-speaking world, and to that world only, for it is scarcely discernible in Continental Europe. *Bryce's note.*

135: 12. **political chat.** The European country where the common people best understand politics is Switzerland. That where they talk most about politics, is, I think, Greece. I remember, for instance, in crossing the channel which divides Cephalonia from Ithaca, to have heard the boatmen discuss a recent ministerial crisis at Athens, during the whole voyage, with the

liveliest interest and apparently some knowledge. *Bryce's note.*

138: 7. **less marked.** I do not mean that Americans are more apt to unbosom themselves to strangers, but that they have rather more adaptiveness than the English, and are less disposed to stand alone and care nothing for the opinion of others. It is worth noting that Americans travelling abroad seem to get more easily into touch with the inhabitants of the country than the English do; nor have they the English habit of calling those inhabitants — Frenchmen, for instance, or Germans — "the natives." *Bryce's note.*

139: 8. **Know-Nothing party.** In the third decade of the nineteenth century, the people of the United States became alarmed at the increase in immigration and raised the cry that American institutions were in danger from the inrush of men from the monarchical countries of Europe. A demand was made for a change in the naturalization law, so that no foreigner could become a citizen till he had lived here twenty-one years. As neither of the two existing political parties, the Whigs and the Democrats, could approve this demand, the people of Louisiana in 1841 called a state convention and founded what was called the Native American party which in its platform advocated this action regarding naturalization and having only native Americans in office. The movement subsided, but in 1849 the increase in immigration due to the discovery of gold in California, and the upheavals of Europe, revived the issue. In 1852, the Know-Nothing party, based on the principles of the old Native American party, was established. The name originated from the fact that at first its members were sworn to secrecy as to its policies, and would answer inquiries, "I don't know." The party increased rapidly in numbers and

influence, but in 1856 with the defeat of its Presidential nominee, Fillmore, it ceased to be a factor in politics.

139: 13. **elections of 1874–1875.** Owing to scandals in government during President Grant's second administration, the Republicans were in these elections given an overwhelming rebuke and the Democrats came into the majority in Congress.

139: 13. **those of 1890.** The congressional election of 1890 resulted in a great victory of the Democrats, the Republican majority of about twenty in the House of Representatives being replaced by a Democratic majority of nearly 150. The chief issue was the recently passed McKinley Tariff bill by which duties had been raised to a point much higher than before.

WHEREIN PUBLIC OPINION SUCCEEDS

(*The American Commonwealth*, Chapter LXXXVI)

141: 23. **created the Constitution good.** Though some at least of the faults of the party system are directly due to the structure of the Constitution. *Bryce's note.*

142: 15. **Douglas.** In the events leading to the Civil War, Stephen A. Douglas (1813–1861) was a prominent leader of the Democratic party, it being inclined to be pro-slavery as the Republican party was inclined to be anti-slavery in its sympathies. In the senatorial campaign in Illinois in 1858, he and Lincoln were the opposing candidates. In a series of joint debates at several points in the State, the problems of slavery were thoroughly discussed. Douglas was reelected to the Senate, but Lincoln had won the moral victory, for, in speeches that rank among the master-

pieces of oratory, he had composed the "gospel of the anti-slavery issue."

143: 10. **ends of national policy.** The distinction between means and ends is, of course, one which it is hard to draw in practice, because most ends are means to some larger end which embraces them. Still if we understand by ends the main and leading objects of national policy, including the spirit in which the government ought to be administered, we shall find that these are, if sometimes slowly, yet more clearly apprehended in America than in Europe, and less frequently confounded with subordinate and transitory issues. *Bryce's note.*

149: 20. **Collectivists.** See **279**: 1.

150: 13. **San Domingo.** A republic occupying the eastern and larger part of the island of Santo Domingo, or Haiti, in the West Indies. The republic was formed in 1844 after a revolution by which it was separated from Haiti. In 1869, a treaty of annexation was made between San Domingo and the United States, but despite President Grant's desire to have the treaty ratified, the Senate refused to do so.

151: 32. **Jobs.** It has often been remarked that posts of the same class are more jobbed by the British executive in Scotland than in England, and in Ireland than in Scotland, because it is harder to rouse Parliament, which in Great Britain discharges much of the function which public opinion discharges in America, to any interest in an appointment made in one of the smaller countries. In Great Britain a minister making a bad appointment has to fear a hostile motion, though Parliament is overlenient to jobs, which may displace him; in the United States a President is under no such apprehension. It is only to opinion that he is responsible. *Bryce's note.*

152: 19. **Chauvinism.** Enthusiastic devotion to any cause, but especially applied to exaggerated patriotism. The word is said to have originated from the name of a French soldier, Nicholas Chauvin, whose enthusiastic devotion to Napoleon became a joke among his comrades.

153: 2. **Mrs. Helen Jackson** (1831–1885). An American poet and novelist who became strongly interested in the wrongs of the Indians and many of whose writings, especially the novel *Ramona*, deal with aspects of the Indian question.

154: 31. **Henry Clay** (1777–1852). A celebrated American statesman and orator, especially noted for his attractive personality and his native eloquence. Clay is commonly spoken of as the father of the American protective tariff system. His name is also linked with several compromise measures which postponed, but did not settle, the slavery question.

155: 2. **Daniel Webster** (1782–1852). A famous American lawyer, orator and statesman.

155: 13. **Andrew Jackson** (1767–1845). The seventh President of the United States, elected as a Democratic candidate in 1828 and reëlected in 1832.

DEMOCRACY IN AMERICA

THE SUPPOSED FAULTS OF DEMOCRACY

(*The American Commonwealth*, Chapter C)

157: 7. **autonomous.** Independent in government.

158: 4. **Plato** (429 or 427–347 B.C.). A famous Greek philosopher, whose *Republic* is a notable discussion of an ideal system of government.

159: 12. **War of A.D. 1812.** In the Napoleonic Wars both France and England promulgated laws regarding

neutral vessels and their ports. These laws bore hard upon the United States, the only important neutral power. The United States did not desire war and endured a series of irritating incidents for five or six years. Finally war was declared June 18, 1812.

160: 8. **War of the Swiss.** In the fifteenth century Swiss independence clashed with the plans of Charles the Bold of Burgundy. In the war which followed, the Swiss mountaineers showed most remarkable bravery in the defence of their country.

160: 9. **defence of Florence.** The inhabitants of the city in 1529–1530 withstood with unexampled devotion and heroism a siege of eleven months by the army of Charles V; finally, however, having to surrender the city to him.

160: 15. **California.** For a fuller discussion, see Chapter XC of *The American Commonwealth*, "Kearneyism in California." Bryce says in the opening paragraph: "What America is to Europe, what Western America is to Eastern, that California is to the other Western States. The characteristics of a new and quickly developed colonial civilization are all strongly marked. It is thoroughly American, but most so in those points wherein the Old World differs from the New. Large fortunes are swiftly made and not less swiftly spent. Changes of public sentiment are sudden and violent. The most active minds are too much absorbed in great business enterprises to attend to politics; the inferior men are frequently reckless and irresponsible; the masses are impatient, accustomed to blame everything and everybody but themselves for the slow approach of the millennium, ready to try instant, even if perilous, remedies for the present evil."

160: 28. **blunders.** Grant's career as President added little lustre to his name. His administrations,

especially the first one, were marked by intrigues and corruptions for which he was responsible only in so far as he was incapable of perceiving and checking them. That he was personally honest cannot be doubted. For fuller details regarding these political mistakes, consult one of the standard histories of the United States.

161: 10. **often not convicted.** Thirty years ago a distinguished American lawyer said, "There is no subject within the domain of legislation in which improvement is so needed as in the law against murder. The practical immunity that crime enjoys in some sections of the country, and the delay, difficulty, and uncertainty in enforcing the law almost everywhere, is a reproach to our civilization. Efforts to save assassins from punishment are so strenuous, the chances of escape so numerous, and the proceedings so protracted, that the law has few terrors for those disposed to violate it." — Address of Mr. E. J. Phelps to the American Bar Association, 1881.

More recently President Taft observed, "I grieve to say that the administration of the criminal law is in nearly all the States of the Union a disgrace to our civilization" (address at Yale University), and in 1906 he repeated, "No one can examine the statistics of crime in this country without realizing that the administration of the criminal law is a disgrace to our civilization, and without tracing to this condition as a moving and overwhelming cause for them, the horrible lynchings that are committed the country over, with all the danger of injustice and exhibition of fiendish cruelty which such occurrences involve" (address to Pennsylvania State Bar Association, 1906). *Bryce's note.*

162: 1. **Border ruffianism.** The anti-slavery agitations led to much brawling and bloodshed in certain

of the Western States, especially Kansas. For an account of these troubles which gave to Kansas the name "Bleeding Kansas," see any standard history of the United States.

162: 7. **Jesse James** (1847–1882). A notorious American train robber and outlaw.

162: 9. **Little John.** One of the most prominent of Robin Hood's band of outlaws.

162: 23. **gendarmerie.** The armed police of France, embracing both mounted and unmounted men.

162: 29. **disproportionate to the result.** There is always a sheriff, whose business it is to pursue criminals, and hang them if convicted, but much depends on his individual vigor. *Bryce's note.*

163: 25. **execution of the criminal.** The savageness which occasionally appears in these lynchings is surprising to one who knows the general kindliness of the American people. Not long ago the people of East Kentucky hunted for a murderer to burn him to death, and the White Cap and Night Riding outrages are sometimes accompanied by revolting cruelty. *Bryce's note.*

164: 14. **White Caps.** The name given to the organization because its members concealed their faces in pillow-cases or other white coverings.

164: 29. **Night Riders.** The name arose from the fact that the organization carried on its operations at night, its members riding horseback to the place where their mission summoned them.

164: 32. "**Molly Maguire.**" A secret organization in the mining regions of Pennsylvania which became notorious for its attacks upon the owners of coal mines. The organization was suppressed in 1877 after several of the leaders had been executed. The name was borrowed from an organization in Ireland which had

been nicknamed "Molly Maguire" because its members wore women's dress as a disguise.

165: 4. **Camorra.** A secret society in the Neapolitan district of Italy which exerts considerable influence among the lower classes of that part of Italy. It has been guilty of much violence and murder.

165: 13. **Pittsburg riots of 1877.** During the great railroad strike in 1877, Pittsburg was one of the centres of disturbance. There occurred serious riots, resulting in many deaths and the destruction of millions of dollars' worth of property.

165: 14. **Cincinnati riots of 1884.** The context on page 166 sufficiently explains this allusion.

165: 14. **Chicago troubles of 1894.** In May, 1894, a formidable strike of the employees of the Pullman Car Company of Chicago took place and great damage was threatened to railroad property. President Cleveland felt it necessary to send national troops to put down the rioting.

166: 19. "**rustlers.**" Western slang for cowboys.

167: 5. **application of physical force.** There is a great difference between different States and cities as regards police arrangements. The police of New York City are efficient and indeed too promptly severe in the use of their staves; and in many cities the police are armed with revolvers. *Bryce's note.*

168: 17. **condottieri.** Here means employed guards. Originally the word denoted the mercenary military companies which used to be hired out to carry on the wars of the Italian States.

168: 21. **so much hated by the workmen.** It is probably this popular hostility to the employment of Pinkerton's men that has caused them to figure little if at all in the more recent strike troubles. They are now seldom heard of. *Bryce's note.*

169: 15. **Eastern and Middle States.** There is little use in comparing the aggregate of crimes reported and of convictions with the aggregates of European countries, because in disorderly regions many crimes go unreported as well as unpunished. *Bryce's note.*

170: 8. **enclave.** Enclosure.

170: 9. **Albania.** A country on the western part of the Balkan Peninsula. The inhabitants from the earliest period of their history to the present have been but slightly civilized and very warlike, keeping the country in a constant state of turmoil.

171: 13. **Gibbon.** Edward Gibbon (1737–1794), the English historian, author of the famous *The Decline and Fall of the Roman Empire.*

171: 17. **General Lee.** Robert Edward Lee (1807–1870) was the commander of the Confederate Army in the Civil War.

171: 18. **Appomattox.** April 9, 1865.

171: 20. **Grant, Sherman, and Sheridan.** Noted generals commanding the Federal Army in the Civil War.

171: 25. **Cæsarism.** Absolute governmental power committed to a single person who becomes Cæsar or Emperor. In this passage the word has the implication of a great military leader becoming absolute ruler by popular will.

171: 32. **Tocqueville.** Alexis de Tocqueville (1805–1859) was a distinguished Frenchman who after a two years' visit to America described and interpreted the United States of his day in *Democracy in America* (1835).

172: 3. **Mill.** John Stuart Mill (1806–1873), an English philosopher and political economist.

172: 16. **Cincinnatus.** A Roman hero. About 460 B.C. he was chosen consul, and two years later was

made dictator. The story says that when the messenger from Rome came to tell him of his new dignity they found him ploughing on his small farm.

172: 16. **Curius Dentatus.** A Roman eminent for his achievements in war and the republican simplicity of his life. It is related that on one occasion a Sabine embassy sent to his farm with gifts, found him roasting turnips at the hearth. Rejecting the gifts he declared he preferred rather to rule those possessing gold than to possess it himself. He was three times consul.

173: 16. **Newport.** One of the capitals of the State of Rhode Island. Also a fashionable sea-side resort.

173: 25. **entrée.** Entrance; admission.

174: 6. **in a previous chapter.** For the fuller discussion of the "tyranny of the majority," see Chapter LXXXIV of *The American Commonwealth*.

175: 26. **Populists.** Adherents of the short-lived People's party were commonly nicknamed "Populists." In the Presidential campaign of 1892, radical elements, especially among the farmers and the labor unions, united to form a third party under the name People's party, and nominated General J. B. Weaver on a platform including free silver, public ownership of monopolies, postal savings banks, and an income tax.

THE TRUE FAULTS OF DEMOCRACY

(*The American Commonwealth*, Chapter CI)

185: 4. **noblesse oblige.** Rank imposes obligations.

186: 18. **distinction in its conspicuous figures.** There are signs that the view here presented is becoming less true than it was when this paragraph was first written. *Bryce's note.*

191: 10. **Spoils System.** The principle that on a change of President nearly all Federal offices are deemed to be vacant and that partisan appointments may be made to fill them. The doctrine finds expression in the phrase, "To the victor belong the spoils." Bryce has discussed this feature of American political practice in Chapter LXV of *The American Commonwealth.*

191: 20. **doctrinairism.** Blind adherence to theory without regard to practical considerations.

192: 24. **Walpole.** Sir Robert Walpole (1676–1745), English statesman and prime minister.

193: 6. **boroughs.** In English politics a city or town having the right to send one or more representatives to Parliament is called a parliamentary borough.

196: 17. **ochlocracy.** Government by the multitude.

196: 23. **Plutocracy.** Government in which the power is lodged in the hands of the wealthy classes.

THE STRENGTH OF AMERICAN DEMOCRACY

(*The American Commonwealth,* Chapter CII)

198: 2. **have already been discussed.** See Chapters XXVII–XXX in Vol. I of *The American Commonwealth. Bryce's note.*

198: 14. **Ark of the Covenant.** Under the Mosaic law none of the Hebrews were permitted to lay hands upon the Ark except the Levites. See Bible, *Book of Second Samuel,* Chapter VI, for the story of Uzzah's being struck dead for touching it when it seemed to totter.

199: 1. **main lines must remain as they are.** This attitude is, however, less general now than it was in 1880. *Bryce's note.*

201: 14. **Mormons.** A religious body in the United States, founded in 1830 by Joseph Smith. The sect first established itself in Fayette, N. Y., but because of the practice of polygamy by its members, found itself compelled by public opinion to move from time to time further westward until it finally entrenched itself in Utah.

202: 26. **certainty and uniformity.** What has been said (Chapters XLIV and XLV) of special and local legislation by the State legislatures may seem an exception to this rule. Such legislation, however, is usually procured in the dark and by questionable means.

Looking both to the National and to the State governments, it may be said that, with a few exceptions, no people has shown a greater regard for public obligations, and that no people has more prudently and honorably refrained from legislation bearing hardly upon the rich, or indeed upon any class whatever. *Bryce's note.*

203: 8. **Ku Klux.** The Ku Klux Klan was a secret organization existing during the Reconstruction period in the Southern States, the object of which was to intimidate the negroes and carpet-baggers so as to prevent them from political action.

204: 14. **a current has begun to run.** For fuller account of this, consult Chapter XCVIII of *The American Commonwealth.*

208: 7. **Dr. Charles W. Eliot** (1834–). One of the foremost American educators. During the larger part of his career he was president of Harvard University, retiring in 1909 as president emeritus.

211: 27. **General Robert E. Lee.** In the summer of 1863, General Lee with a portion of the Confederate Army crossed the Potomac and prepared for a campaign in Pennsylvania, with Harrisburg as the objective point.

His defeat in the battle of Gettysburg compelled the abandonment of the campaign.

211: 30. **Radetzsky.** Count Joseph Wensel Radetzsky (1766–1858) was a distinguished Austrian field marshal.

211: 30. **Cavaignac.** Louis Eugène Cavaignac (1802–1857) was a noted French general of the Napoleonic period.

212: 1. **Orangemen.** Members of the Orange Society, an association of Irish Protestants which derived its name from King William III, Prince of Orange. It celebrates on July 12th, the battle of the Boyne.

212: 27. **in 1793.** The reference is to the bloody excesses during the Reign of Terror in the French Revolution which had as its watchwords, Liberty, Equality, Fraternity.

EQUALITY

(*The American Commonwealth*, Chapter CXIII)

217: 4. **peace of 1815.** The peace concluding the Napoleonic Wars which had been occupying the attention of Englishmen for some years.

220: 19. **very poor class.** How far extreme inequality of material conditions, coexisting with political equality, is likely to prove a source of political danger is a question discussed in another chapter. *Bryce's note.*

221: 27. **"rule of precedence."** In private parties, so far as there is any rule of precedence, it is that of age, with a tendency to make an exception in favor of clergymen, or any person of special eminence. It is only in Washington, where senators, judges, ministers, and congressmen are sensitive on these points, that such

questions seem to arise, or to be regarded as deserving the attention of a rational mind. *Bryce's note.*

222: 12. **Mayflower.** The vessel which carried the first Pilgrim colonists from Holland to New England, where they landed at what is now Plymouth Rock on December 16, 1608.

222: 13. **William the Conqueror** (1027 or 1028–1087). The Norman King who conquered England and became its king from 1066–1087.

222: 16. **Edmund Randolph** (1753–1813). One of the early American statesmen, prominent in Virginia and national affairs.

222: 19. **William Endicott** (?–1665). The first colonial governor of Massachusetts.

222: 19. **Jonathan Edwards** (1703–1758). An eminent New England preacher and theologian, his most noted book being the famous treatise *On the Freedom of the Will* (1754).

222: 20. **Eliot.** John Eliot (1604–1690), an early American clergyman to whom because of his missionary activities was given the title Apostle of the Indians.

222: 22. **their legitimate pride.** In all the cases mentioned in the text I remember to have been told by others, but never by the persons concerned, of the ancestry. This is an illustration of the fact that while such ancestry is felt to be a distinction it would be thought bad taste for those who possess it to mention it unless they were asked. *Bryce's note.*

222: 27. **parvenu.** A person newly risen to wealth or social position.

222: 30. **jest.** An anecdote is told of the captain of a steamer plying at a ferry from Maryland into Virginia, who being asked by a needy Virginian to give him a free passage across, inquired if the applicant belonged to one of the F. F. V. "No," answered the

man, " I can't exactly say that; rather to one of the second families." " Jump on board," said the captain; " I never met one of your sort before." *Bryce's note.*

223: 2. **such pretensions.** Clubs have been formed in Eastern cities including only persons who could prove that their progenitors were settled in the State before the Revolution, and one widely spread women's association (the Colonial Dames) has a like basis. *Bryce's note.*

223: 14. **Oxford or Cambridge.** The two great English universities.

224: 4. **élite.** Most select persons.

226: 2. **anywhere else in Europe.** In Germany great respect is no doubt felt for the leaders of learning and science; but they are regarded as belonging to a world of their own, separated by a wide gulf from the territorial aristocracy, which still deems itself (as in the days of Candide) a different form of mankind from those who have not sixteen quarterings to show. *Bryce's note.*

226: 21. **exactly the same as themselves.** Some one has said that there are in America two classes only, those who have succeeded and those who have failed. *Bryce's note.*

226: 23. **Henry Ward Beecher** (1813–1887). A noted American preacher.

226: 25. **R. W. Emerson** (1803–1882). The American poet, philosopher, and patriot. After a few years spent in teaching and preaching, Emerson retired to Concord, Massachusetts, and spent the remainder of his life in writing and lecturing. As an intellectual force, Emerson was probably the most important American man of letters in the nineteenth century.

227: 2. **yourself only earthenware.** This is seen even in the manner of American servants. Although

there is an aversion among native Americans of both sexes to enter regular domestic service, the temporary discharge of personal service does not necessarily involve loss of caste. Many years ago I found all the waiting in a large hotel in the White Mountains done by the daughters of respectable New England farmers in the low country who had come up for their summer change of air to the place of resort, and were earning their board and lodging by acting as waitresses. They were treated by the guests as equals, and were indeed cultivated and well-mannered young women. So college students sometimes do waiting, and do not feel humbled thereby. *Bryce's note.*

227: 9. **noblesse.** Nobility.

227: 32. **" a gentleman."** On the New York elevated railroad smoking is not permitted in any car. When I asked a conductor how he was able to enforce this rule, considering that on every other railway smoking was practised, he answered, " I always say when any one seems disposed to insist, ' Sir, I am sure that if you are a gentleman you will not wish to bring me into a difficulty,' and then they always leave off." *Bryce's note.*

228: 17. **Belgravians.** Residents of the fashionable portion of the West End of London known as Belgravia.

228: 18. **Islington.** A populous part of London, two miles away from the centre of the city.

229: 5. **Established Church.** The State church of England, more commonly called the Church of England.

229: 7. **The Napoleons.** (1) Napoleon I, more commonly known as Napoleon Bonaparte, Emperor of the French 1804–1814; (2) Napoleon III, nephew of Napoleon I, who asserted his right to the French throne and succeeded in becoming Emperor from 1852–1870.

230: 22. **to this source only.** It was an old reproach in Europe against republics that their citizens were

rude: witness the phrases, "manières d'un Suisse," "civilisé en Hollande" (Roscher, *Politik*, p. 314). *Bryce's note.*

231: 1. **courtesy and good nature.** There are parts of the West which still lack polish; and the behavior of the whites to the Chinese often incenses a stranger from the Atlantic States of Europe. I remember in Oregon to have seen a huge navvy turn an inoffensive Chinaman out of his seat in a railway car, and when I went to the conductor and endeavored to invoke his interference, he calmly remarked, "Yes, I know those things do make the English mad." On the other hand, on the Pacific slope colored people often sit down to table with whites. *Bryce's note.*

231: 29. **Dickens.** Charles Dickens (1812–1870), the English novelist, visited the United States in 1841, and embodied some of his impressions of American life in *American Notes* (1842) and in *Martin Chuzzlewit* (1843). His decidedly unfavorable criticisms alienated American readers from his books, but in the course of time their resentment faded out. When Dickens returned for a second visit, giving readings from his works, the people of the United States gave him a most friendly reception.

231: 29. **Lyell.** Sir Charles Lyell (1797–1875), the noted English geologist, who visited the United States several times. His experiences are embodied in the books, *Travels in North America* (1845) and *A Second Visit to the United States of North America* (1849).

THE INFLUENCE OF DEMOCRACY ON THOUGHT

(*The American Commonwealth*, Chapter CXIV)

233: 9. **Athens.** See note on **102**: 6.

233: 10. **Sparta.** The Greek city which by the sixth century B.C. had become the leading Greek State, and the champion of aristocratic government.

233: 12. **Cicero.** The celebrated Roman orator who lived 106–43 B.C. **Lucretius** (96(?)–55 B.C.). A Roman philosophical poet.

233: 13. **Catullus** (87(?)–54 B.C.). A Roman poet. **Augustan age.** The reign of the Roman Emperor, Augustus Cæsar, was the golden age of Latin literature.

233: 16. **Marcus Aurelius** (121–180 A.D.). A celebrated Roman emperor especially noted for his devotion to philosophy and literature. **Constantine** (272–337 A.D.). Roman emperor, especially noted because he caused Christianity to be recognized by the State.

233: 20. **Florence.** One of the leading cities of Italy, located on the river Arno. In the fourteenth and fifteenth centuries it was the leading centre of Italian art and literature. Says Bryce in a subsequent chapter of *The American Commonwealth*, "There is a street in Florence on each side of which stand statues of the famous Florentines of the fourteenth and fifteenth centuries, — Dante, Giotto, Petrarch, Boccaccio, Ghiberti, Machiavelli, Michael Angelo, and others scarcely less illustrious, all natives of the little city which in their days had never a population of more than seventy thousand souls."

234: 18. **Mr. Robert Lowe** (1811–1892). An English politician.

235: 3. **City of the Violet.** Athens was sometimes spoken of as the "violet-crowned city," this designation

being derived from one of its kings, Ion, whose name meant "violet." **City of the Lily.** The Italian city, Florence, was sometimes so called.

235: 10. **Daniel.** The prophet, Daniel, not only interpreted the dream of King Nebuchadnezzar but also told the king the dream which had been forgotten by the latter. See Bible, *Daniel*, Chapter II.

236: 10. **age of Pericles.** During the administration of Pericles, the Athenian statesman and orator, various achievements in the fields of politics, military conquest, and literature made the period a notable one.

236: 22. **Wordsworth.** William Wordsworth (1770–1850) who ranks among the four or five greatest English poets.

237: 14. **Aristotle.** The Greek philosopher (384–322 B.C.) whose *Rhetoric* and *Poetics* have been regarded as containing the fundamental principles of literature, especially so far as the drama was concerned.

237: 30. **first and greatest of all hostile critics.** Plato indeed indulges his fancy so far as to describe the very mules and asses of a democracy as prancing along the roads, scarcely deigning to bear their burdens. The passion for unrestrained license, for novelty, for variety, is to him the note of democracy, whereas monotony and even obstinate conservatism are the faults which the latest European critics bid us to expect. *Bryce's note.*

241: 8. **Walter Scott** (1771–1832). An English novelist whose series of *Waverley Novels* gives him rank among the greatest writers in this field. **Thackeray.** William Makepeace Thackeray (1811–1863), an English novelist acknowledged as one of the masters in this field of literature.

243: 20. **Hawthorne.** Nathaniel Hawthorne (1804–1864) was an American story-writer and novelist whose

work is characterized with the mystical brooding spirit characteristic of New England Puritanism.

243: 29. **Concord or Transcendental school.** It is difficult to explain briefly the intellectual and spiritual awakening in New England known as the Transcendental Movement. Its fundamental characteristics were liberalism, independence, idealism, and reform. But the Transcendentalists were in no very definite sense a school, and they did not agree in any definite system of beliefs or program of action.

243: 31. **Thoreau.** Henry David Thoreau (1817–1862) was an eccentric American essayist, poet, and naturalist.

245: 15. **Burns.** Robert Burns (1759–1796) was the Scotch lyric poet, sometimes called the "Ploughboy Poet" because of the humbleness of his lot. **Adam Smith** (1723–1790). A distinguished Scotch philosopher and political economist whose book, *The Wealth of Nations*, may be said to have founded the science of political economy.

245: 16. **Reid.** Thomas Reid (1710–1796) was a distinguished Scotch philosopher. **Robertson.** William Robertson (1721–1793) was the author of a noted *History of Scotland*.

245: 25. **Franklin.** Benjamin Franklin (1706–1790). In addition to being celebrated as an American philosopher, statesman, and diplomat, Franklin is distinguished as an author.

245: 26. **Fenimore Cooper** (1789–1851). An American novelist. **Longfellow.** Henry Wadsworth Longfellow (1807–1882) was a distinguished American poet.

245: 27. **Lowell.** James Russell Lowell (1819–1891) was an American poet, essayist, scholar, and diplomat.

THE PLEASANTNESS OF AMERICAN LIFE

(*The American Commonwealth*, Chapter CXIX)

247: 6. **riots of 1886 in Belgium.** Serious socialistic riots burst out in the spring of 1886 at Liége and rapidly spread into other industrial centres of the Walloon mining districts. The military had to be used to restore order. But as soon as this was done, the government investigated the causes of dissatisfaction and took steps to remedy them, this leading eventually to the establishment of universal suffrage and the substitution in Belgium of a democratic instead of a middle-class government.

249: 29. **Mrs. Trollope** (1780–1863). An English novelist and writer of books of travel. During the years 1829–1832 she lived in the United States and embodied her experiences in the book *Domestic Manners of the Americans* (1832), which gave a very unfavorable and grossly exaggerated account of its subject.

249: 30. **Richard Cobden** (1804–1865). An English statesman and political economist especially noted for his advocacy of free trade and of peace. In 1835, he made a brief tour in the United States and Canada.

250: 7. **with more frankness and ease.** A trifling anecdote may illustrate what I mean. In a small Far Western town the stationmaster lent me a locomotive to run a few miles out along the railway to see a remarkable piece of scenery. The engine took me and dropped me there, as I wished to walk back, much to the surprise of the driver and stoker, for in America no one walks if he can help it. The same evening, as I was sitting in the hall of the hotel, I was touched on the arm, and turning round found myself accosted by a well-mannered man, who turned out to be the engine-

driver. He expressed his regret that the locomotive had not been cleaner and better "fixed up," as he would have liked to make my trip as agreeable as possible, but the notice given him had been short. He talked with intelligence, and we had some pleasant chat together. It was fortunate that I had resisted in the forenoon the British impulse to bestow a gratuity. *Bryce's note.*

250: 27. **gêne.** Constraint.

251: 20. **Judah does not vex Ephraim**, etc. Adapted from Bible, *Isaiah*, Chapter 11, verse 13. These two tribes of the Hebrews were rivals, the name of Ephraim especially being very warlike.

251: 22. **Dissenters.** The name popularly applied in England to those who are members of religious organizations that have separated from the Church of England.

252: 12. **Frederick the Great's** (1712–1786). King of Prussia 1740–1876. The military genius of Frederick the Great raised Prussia to the rank of a powerful European State.

254: 6. **roideur.** Haughtiness; stiffness.

THE FUTURE OF POLITICAL INSTITUTIONS

(*The American Commonwealth*, Chapter CXXII)

259: 3. **Herodotus** (about 484–424 B.C.). A celebrated Greek historian, sometimes called "the Father of History."

259: 5. **Pillars of Hercules.** In ancient geography, the two opposite promontories Calpe (now Gibraltar) in Europe and Abyla in Africa, situated at the eastern extremity of the Strait of Gibraltar.

259: 12. **purchase of Louisiana in 1803.** Before the purchase of the French possessions known as "Louisiana," the United States embraced merely the territory between the Atlantic coast and the Mississippi River.

263: 2. **race.** The immense influx of immigrants of various races speaking diverse languages has not greatly affected the sense of race unity, for the immigrant's child is eager to become, and does soon become, to all intents and purposes an American. Moreover, the immigrants are so dispersed over the country that no single section of them is in any State nearly equal to the native population. Here and there in the West, Germans tried to appropriate townships or villages, and keep English-speaking folk at a distance; and in Wisconsin the demand to have German taught regularly in the schools once caused some little bitterness. But these were transitory phenomena, and the very fact that the feeling of racial distinction produces no results more serious shows how far that feeling is from being a source of political danger. *Bryce's note.*

263: 18. **Jackson.** Andrew Jackson when President displayed his domineering temperament to such a degree that his administration is sometimes spoken of as the "reign of Jackson." **Lincoln.** The requirements of war necessitated President Lincoln's assuming a large degree of authority.

263: 20. **Tyler.** President Tyler was out of sympathy with his party, the Whigs, and, during his administration, there was something of a feud between him and Congress, the latter often thwarting the President's policies.

263: 21. **Andrew Johnson.** In dealing with the perplexing problems of Reconstruction, President Johnson and Congress were often in violent disagreement as to policies. Finally the friction culminated in the im-

peachment of the President; the result, however, being his acquittal.

267: 9. **Civil Service Reform Act.** In 1871 Congress, forced by public opinion and against the protests of the professional politicians, had authorized the President to make certain changes in the methods of appointing subordinate officers. Grant thereupon appointed a civil service commission of eminent men who established a system of competitive examinations for appointment to office. After a short career this system fell into disuse because Congress failed to provide funds for its support. But the agitation continued, and in 1883 a new Act was passed applying the merit system to a limited number of classes of government officials. Successive Presidents have enlarged the list until at present it includes almost every branch of government service.

267: 15. **Jackson's days.** The presidency of Andrew Jackson extended from 1829–1837.

267: 19. **The tares . . ., the old enemy.** The allusion is to the Biblical parable of the tares and the wheat. See *Matthew*, Chapter XIII, verses 24–30.

267: 26. **Primary Laws.** Soon after 1890 the sins of the Machine, and the abuse of the system of nomination by primaries and conventions led to an effort to cure these abuses and to secure the ordinary citizen in his freedom of selecting candidates for office by bringing party nominations under the authority of the law and surrounding them with safeguards similar to those which surround elections. Thus statutes have been enacted in nearly all the States which deal to a greater or less extent with the times and manner of holding primary meetings for the nomination of party candidates for office and of delegates for party conventions. *Bryce's note, The American Commonwealth*, Chapter LX.

272: 17. **Chicago in 1886 and 1894.** The outbreak of violence in 1886 was in connection with a strike of the freight handlers who demanded an eight-hour day. This strike finally embraced some 60,000 persons. In connection with it occurred the great Haymarket Square riot of May 4th. The authorities undertook to disperse an anarchists' meeting. A bomb fell among the police, killing seven and wounding sixty. Many anarchists were arrested and tried for their lives, several being convicted and hung. For the cause of the 1894 outbreaks, see note on **165**: 14. **Of the large districts of the West in 1893.** The financial depression of this year caused much unrest among the industrial classes, which developed into strikes and riots, especially in the West.

SOCIAL AND ECONOMIC FUTURE

(*The American Commonwealth*, Chapter CXXIII)

277: 21. **primogeniture.** The custom of the eldest son inheriting the estate of his father.

278: 32. **Labour or Socialist parties.** Minor American parties, composed chiefly of workingmen in cities and mining districts. In the chapter entitled "Further Observations on Parties," Bryce describes the aims of the Labour party as follows: "Speaking generally, the reforms advocated by the leaders of the Labour party have included the nationalization of land, the imposition of a progressive income tax, the taking over of railroads and telegraphs by the national government, . . . the increase of the currency, . . . and above all, the statutory restriction of the hours of labour." Regarding the Socialist party, which has similar aims, he says: "In 1900 the party which has since called itself Socialist

was founded. Both of these parties sometimes put forward candidates in State or city elections. It is only in some States, chiefly Northern States, that candidates of this complexion appear at all."

279 : 1. Collectivist propaganda. What is called collectivism is a scheme of economic reform which would establish instead of the competitive system of to-day based on individual ownership, an arrangement by which industry would be undertaken by collective action on the part of the State.

280 : 30. change to large properties. Of 6,361,502 farms returned in the census of 1910, 3,948,722 were cultivated by the owner and 2,354,676 rented by the farmer; and of those owned a little more than one third (33.6) would appear to be subject to mortgages. The proportion to the whole number of dwellings not owned but hired by those who live in them is, of course, very much larger, viz. 53.5 per cent for the whole country, and 74.3 per cent for 160 cities with at least 25,000 inhabitants. *Bryce's note.*

282 : 11. Theocritus. The first and greatest of the Greek pastoral or bucolic poets, the characters in his poems being chiefly peasants, shepherds, reapers, and fishermen. He is believed to have lived from about 310 to about 245 B.C.

284 : 26. progress in wealth and influence. In 1790 the colored people were 19.3 per cent of the total population of the United States, and in 1880 only 13.1. In 1900 the percentage had shrunk to 11.6, in 1910 to 10.7, and is still on the decrease. *Bryce's note.*

285 : 19. Picts and Gaels. The Scotch are the survivors of these divisions of the original Celtic inhabitants of Britain.

285 : 20. Cymry. This branch of the original Celtic inhabitants of Britain is represented to-day by the Welsh.

285: 22. **Angles and Saxons.** The two most prominent tribes among the Teutonic invaders who established themselves on the island of Britain in the fifth and sixth centuries. Their original home was what are now the Schleswig-Holstein provinces of Northern Germany.

285: 23. **Low German.** Northern German.

285: 31. **by Irish and the German immigration.** The analogy may be carried one step farther by observing that the Scandinavians who now settle in the Northwestern States, as they have come to America later than Celts or Germans, so also have come in a proportion to Celts and Germans corresponding to that borne to the previous inhabitants of Britain by the Danes and Norwegians who poured their vigorous blood into the veins of the English race from the ninth century onwards. The larger and more obscure question of the influence of Slavonic, Jewish, and Italian immigrants has been dealt with in Chapter XCII. *Bryce's note.*

286: 31. **the extension of railways.** The largest percentages of increase of foreign population, where absolute numbers were significant, were in the decade of 1900–1910 the following: Persons born in Hungary 240.1 per cent, in Russia 177.4 per cent, in Italy 177.5 per cent, in Austria 139.2 per cent. In the preceding decade these percentages had been 133, 132, 165, and 124 respectively. *Bryce's note.*

287: 26. **farm labour.** There is sometimes a scarcity of labor on farms in the Eastern States, while the cities are crowded with men out of work. The percentage of urban total population, which in 1790 was 3.35, was in 1890, 29.12, in 1900, 33.1, and in 1910, 46.3. In the New England and Middle Atlantic States it was 83.3 and 71 per cent, respectively, of the population. The increase in these states was chiefly in Massachusetts, New Jersey, and Pennsylvania, and a part was of course

due to the large increase of immigration into New York City. *Bryce's note.*

289: 21. **a century ago.** General F. A. Walker gave the rate of increase of native whites generally in the United States at 31.25 per cent in the decade 1870–1880, but that of native whites born of native parents at 28 per cent. The Thirteenth Census, 1911, gives the rate of increase in the years 1900–1910 as 20.8 per cent of native whites, and of native whites born of native parents as 20.9 per cent. The average size of the family decreased in 1870–1880 from 5.09 persons to 5.04. In 1900 it had further fallen to 4.7 and in 1910 to 4.5, and in some of the States where the population is most largely native born it was still lower, *e.g.* Maine (4.20), New Hampshire (4.20), Indiana (4.20), whereas in the South it was comparatively high, *e.g.* West Virginia (4.90), Texas (4.90), North Carolina (5.00). *Bryce's note.*

291: 28. **Charles Lamb** (1775–1834). A noted English essayist and critic.

292: 13. **St. Anselm** (1033–1109). A celebrated divine, Archbishop of Canterbury 1093–1109. **St. Bernard** (1091–1153). One of the most eloquent of the Catholic ecclesiastics of the Middle Ages. He it was who preached the second Crusade (1147) with such fatal success.

292: 14. **Dante** (1265–1321). A celebrated Italian poet whose chief work, *The Divine Comedy*, is one of the greatest poems ever written and is the embodiment of the religious spirit of the Middle Ages.

295: 2. **Mount Shasta.** A mountain in California, one of the highest in the United States.

295: 11. **Columbus.** The discoverer of America, whose first voyage was made in 1492.

297: 4. **Jura.** A range of mountains forming a part of the boundary between France and Switzerland.

297: 7. **famous poem of Virgil's.** The fourth Eclogue of this Roman poet celebrates the birth of a child whom it seems impossible to identify, who is to bring back the Golden Age. In the early days of Christianity, the poem was taken as a prophecy of the coming of the Messiah.

297: 13. **reformers of the sixteenth century.** The chief leaders in the great religious revolution of the sixteenth century were Luther in Germany, Zwingli in Switzerland, Calvin in France and Switzerland, and Knox in Scotland.

297: 18. **near the end of the eighteenth century.** The French Revolution, 1789–1795.

298: 7. **Delectable Mountains.** In Bunyan's *Pilgrim's Progress*, they are described as " a most pleasant mountainous country, beautified with woods, vineyards, fruits of all sorts, flowers also, with springs and fountains, very delectable to behold."

GOOD CITIZENSHIP

In 1909, Bryce gave at Yale University a series of lectures on the Dodge Foundation for Lectures on the Responsibilities of Citizenship. These were later published in book form by the Yale University Press under the title Hindrances to Good Citizenship. The final lecture, which is here reprinted, reviewed the chief obstacles discussed in the previous lectures and suggested means for overcoming them.

HOW TO OVERCOME THE OBSTACLES TO GOOD CITIZENSHIP

305: 32. **further discussed now and here.** Since the above was written a Royal Commission has been appointed in Britain to examine divers questions relating

to elections, and is investigating this, among other plans. *Bryce's note.*

311: 14. **under the law.** See Bible, *Romans*, Chapter VI, verse 14.

312: 28. **cup and platter.** See Bible, *Matthew*, Chapter 23, verse 25; *Luke*, Chapter II, verse 39.

316: 9. **Carl Schurz** (1829–1906). Schurz participated in a revolutionary movement to liberalize the government of Prussia. After being arrested and thrown into prison, he escaped to Switzerland, and later went to the United States. He identified himself completely with American life, and in his services as statesman and journalist was a fine type of the foreign American.

316: 25. **Wordsworth.** The quotation is from *Ode on Intimations of Immortality from Recollections of Early Childhood.*

317: 10. **seventeenth century.** This was the period in England of struggle between the Puritans and Cavaliers, resulting in progress towards democracy.

317: 11. **War of Liberation.** The war waged in 1813–1814 by the European countries allied against Napoleon, which resulted in the freeing of various German States from French occupation and influence. **Italy.** At the close of the Napoleonic Wars, when the French were expelled from Italy, so disorganized and divided was the country that Austria easily assumed jurisdiction of Italy. The despotic government of Austria was, however, intolerable, and after long efforts the Austrians were finally driven from their control of the country by Italian patriots.

317: 18. **Mazzini.** Giuseppe Mazzini (1808–1872) was an Italian patriot prominently connected with the struggle for Italian unity and republican government in the third decade of the nineteenth century.

318: 23. **Japan.** The reference is to the Russo-Japanese War.

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